

By Mr. LAFFERTY: Petition of Knights of Columbus of Mount Angel, Oreg., protesting against alleged outrages in Mexico; to the Committee on Foreign Affairs.

By Mr. REILLY of Connecticut: Petitions of sundry citizens of the third congressional district of Connecticut, favoring national prohibition; to the Committee on Rules.

By Mr. THACHER: Petition of First Congregational Church of Falmouth, Mass., favoring national prohibition; to the Committee on Rules.

By Mr. WEAVER: Petition of J. A. Ricks and other citizens of Headrick, Jackson County, Okla., favoring Government aid for cotton market; to the Committee on Banking and Currency.

Also, petition of Catholic Knights of America, Branch No. 825, of Oklahoma City, Okla., against circulation through the mails of the Menace; to the Committee on the Post Office and Post Roads.

By Mr. WILLIS: Memorial of Ohio Building Association, protesting against passage of the emergency revenue act and offering amendment; to the Committee on Ways and Means.

Also, memorial of Baptist Young People's Union and Baptist Church of Sunbury, Ohio; Methodist Protestant Church and Evangelical Church of Mount Cory; and business committee of the Ohio Sunday School Association, favoring national prohibition; to the Committee on Rules.

SENATE.

FRIDAY, December 18, 1914.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

We thank Thee, Almighty God, that with the pressing cares that bind our thoughts so closely to the temporal Thou hast still kept alive within us the grasp of the spiritual. By the slow processes of our human investigation Thou art unfolding to us the uses and purposes of the life about us; Thou art also giving to us that divine impulse which reaches out after the immortal, the never ending, the eternal. And so our friendships never die, every duty takes on an eternal significance, and life presses on the upward path, the path of the righteous that shines more and more unto the perfect day. Let the grace of God lead us in this path this day. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

REPORT OF PUBLIC HEALTH SERVICE.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, the report of the Surgeon General of the Public Health Service for the fiscal year 1914, which, with the accompanying paper, was referred to the Committee on Public Health and National Quarantine.

COMMISSION ON RELATIONS WITH JAPAN.

The VICE PRESIDENT. The Chair lays before the Senate the following communication, which will be read.

The communication was read and referred to the Committee on Immigration, as follows:

[Federal Council of the Churches of Christ in America, national office, 612 United Charities Building, 105 East Twenty-second Street, New York.]

AN APPEAL TO CONGRESS AND THE PEOPLE OF THE UNITED STATES FOR AN ADEQUATE ORIENTAL POLICY.

The awakening of Asia and her rapid acquisition of imported elements of occidental civilization inaugurates a new era in world history in which Asia is to play a new and increasingly important rôle. Whether that rôle shall be one of peace, good will, and mutual cooperation or one controlled by increasing suspicion and fear between the East and the West will depend largely on the attitude of the western nations themselves.

It has seemed to many of our citizens who have become familiar with the questions raised by this more intimate and ever-increasing contact with the Orient that the United States might well adopt a more adequate oriental policy. Therefore be it

Resolved, That the Commission on Relations with Japan, appointed by the Federal Council of the Churches of Christ in America upon Congress and upon the people of the United States the importance of adopting an oriental policy based upon a just and equitable regard for the interests of all the nations concerned, and to this end suggests that the entire immigration problem be taken up at an early date, providing for comprehensive legislation covering all phases of the question (such as the limitation of immigration and the registration, distribution, employment, education, and naturalization of immigrants) in such a way as to conserve American institutions, to protect American labor from dangerous economic competition, and to promote an intelligent and enduring friendliness among the people of all nations.

Charles R. Brown; Hamilton Holt; William I. Haven; Charles R. Henderson; E. R. Hendrix; Jeremiah W. Jenks; Albert G. Lawson; Frederick Lynch; Francis J. McConnell; John R. Mott; Frank Mason North; Doremus Scudder; Robert E. Speer; George E. Vincent; Amos P. Wilder; Sidney L. Gulick, representative on international relations; Charles S. Macfarland, secretary Commission on Relations with Japan, appointed by the Federal Council of the Churches of Christ in America.

DECEMBER 18, 1914.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented petitions of sundry citizens of Oakdale and Wilmette, in the State of Illinois; of Tarkio, Mo.; of Sacramento, Cal.; of Springdale, Pa.; of Viola, Kans.; and of St. Paul, Minn., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which were referred to the Committee on the Judiciary.

Mr. BRISTOW presented a petition of sundry citizens of Newton, Kans., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which was referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Downs and Lawrence, Kans., remonstrating against the exclusion of anti-Catholic publications from the mails, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Ellis, Neta-waka, Redfield, Russell, Ozawie, Abbyville, Olathe, Luray, Glen Elder, Lyons, and Hutchinson, and of Edwards and Pawnee Counties, all in the State of Kansas, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. TILLMAN presented petitions of the Comrade Adult Bible Class, the Wesley Adult Bible Class, and the Baraca Adult Bible Class of the Presbyterian, Methodist, and Baptist Sunday Schools, all of Conway, in the State of South Carolina, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. TOWNSEND presented telegrams in the nature of memorials from sundry citizens of Bay City, Mich., remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

Mr. CLARK of Wyoming presented a petition of sundry citizens of Chugwater, Wyo., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. LIPPITT presented a petition of sundry citizens of Johnston, R. I., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. THOMPSON presented a petition of the Mercantile Club, of Kansas City, Kans., praying for the enactment of legislation to provide pensions for civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

Mr. ROOT presented petitions of sundry citizens of the State of New York, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. BURTON presented petitions of the Builders' Exchange of Cleveland and of the Retail Merchants' Association of Bellefontaine, in the State of Ohio, praying for the creation of a national security commission, which were referred to the Committee on Military Affairs.

Mr. SHIVELY presented petitions of sundry citizens of Fort Wayne, Lawrenceburg, Indianapolis, and Elkhart, all in the State of Indiana, praying for national recognition of the polar efforts of Dr. Frederick A. Cook, which were referred to the Committee on the Library.

He also presented petitions of the Ministerial Association of Lebanon; of the Friends' Church of Carmel; of the New Hope Friends' Church, of Greentown; of the Friends' Church of Elizabethtown; of the Eaglecreek Friends' Church, of Westfield; of the Mentone Baptist Church, of Mentone; of the Church of Christ of Gas City; of the Hillside Christian Church, of Indianapolis; of the Friends' Church of Sheridan; of the Church of God of Syracuse; of the United Brethren and Methodist Episcopal Churches of Hudson; of the Hinkles Creek Friends' Church, of Cicero; of the New Albany Ministerial Association, of New Albany; of the Christian Church of Hammond; of the churches of Clarksburg, Kingston, and Sandusky; of the Methodist, Baptist, and Christian Churches of Gas City; of Mrs. Olive Smith, of Dunkirk; of Clayton L. Rhode and 10 other citizens of Wellsboro; and of the superintendent of the Union Street Friends' Bible School and Church, of Kokomo, all in the State of Indiana, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. OLIVER presented petitions of sundry citizens of Pennsylvania, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of the Board of Trade of Waynesboro and of the Board of Trade of Oakland, Pittsburg, all in the State of Pennsylvania, praying for the creation of a national security commission, which were referred to the Committee on Military Affairs.

He also presented petitions of the State Council of Pennsylvania, Junior Order United American Mechanics, and of the National Council, Daughters of Liberty, of Philadelphia, all in the State of Pennsylvania, praying for the enactment of legislation to further restrict immigration, which were ordered to lie on the table.

Mr. KERN presented petitions of the Catholic Order of Foresters of La Porte and of sundry citizens of Wolf Lake, in the State of Indiana, praying for the enactment of legislation to exclude anti-Catholic publications from the mails, which were referred to the Committee on Post Offices and Post Roads.

Mr. NORRIS presented a petition of Facklan Lodge, No. 72, International Order of Good Templars, of Omaha, Nebr., praying for national prohibition, which was referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES.

Mr. SHIVELY, from the Committee on Pensions, submitted a report (No. 842), accompanied by a bill (S. 6980) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, which was read twice by its title, the bill being a substitute for the following pension bills heretofore referred to that committee:

S. 337. James A. Fancher.
S. 369. Katie A. Beardsley.
S. 722. Mary Lotty.
S. 811. Andrew A. Kelley.
S. 969. James H. Meekin.
S. 974. Thomas H. Kennedy.
S. 1015. James Edwards.
S. 1096. Amanda Parmalee.
S. 1319. Herman Sebert.
S. 1392. Franklin Comstock.
S. 1795. Jonathan S. Nickerson.
S. 2010. Charles H. Eding.
S. 2038. Augustus M. Barnes.
S. 2127. James W. Magers.
S. 2180. George W. Smith.
S. 2324. Martha J. Whiting.
S. 2377. Joseph R. C. Hunter.
S. 2896. Grace E. McDonald.
S. 3011. Mary J. Gooding.
S. 3040. George T. Smith.
S. 3388. Anna F. Quinn.
S. 3504. James H. Nale.
S. 3613. Hattie A. Harris (formerly Hungerford).
S. 4024. Harlan Gause.
S. 4090. William Rodgers.
S. 4099. Frank A. Olney.
S. 4119. Nelson W. Armstrong.
S. 4401. Jeremiah Lyshon.
S. 4478. Ormiston C. Wing.
S. 4597. M. Theresa Sampson.
S. 4599. Almond R. Spaulding.
S. 4692. Alfred Deforest Walker.
S. 4763. John R. Boso.
S. 4766. Lucinda E. Nelson.
S. 4856. Elizabeth J. Mullin.
S. 4859. Sarah E. Badley.
S. 5054. Hugh K. Godding.
S. 5056. Thomas Dial.
S. 5185. Joseph M. Lansden.
S. 5190. Joseph M. Conway.
S. 5196. Philamena B. Mahoney.
S. 5218. Justine M. Thrift.
S. 5266. Caspar Schiesser.
S. 5333. Moses Buhney.
S. 5335. Peter Smith.
S. 5372. Julian Sitz.
S. 5379. Amanda M. Startzman.
S. 5440. Emily Morang.
S. 5453. Marcus E. Ferguson.
S. 5595. William Hurley.
S. 5638. Whitman M. Colby.
S. 5725. Anna M. Foster.
S. 5740. Jacob C. Rennaker.
S. 5765. Minerva Freeman.
S. 5766. Cornelia A. Anderson.
S. 5767. Margaret A. Bitgood.
S. 5768. Almira E. Briggs.
S. 5775. Maria Lewis.
S. 5793. Elisha W. Ellis.
S. 5795. Elizabeth Pangburn.
S. 5797. Mary M. Calof.
S. 5799. John A. Patterson.
S. 5807. Annie Wilson.
S. 5821. Benjamin F. Bourne.
S. 5822. Robert S. Clark.
S. 5828. Lucy Carey.
S. 5831. Frances Terry.
S. 5850. Mary A. De Lany.

S. 5852. Charles Nettleton.
S. 5863. Orville Choate.
S. 5867. Frederick W. Schaeffer.
S. 5868. Catharine Terwillger.
S. 5878. Stephen D. Mitchell.
S. 5889. Benjamin Williams.
S. 5895. Ezra W. Conant.
S. 5900. Laura C. Bailey.
S. 5901. David Frank.
S. 5961. Harriet J. Weddle.
S. 5964. Amanda F. Powell.
S. 5965. King R. Olmstead.
S. 5976. John S. Perriton.
S. 5983. Samuel L. Cole.
S. 5991. Egbert W. Reed.
S. 6001. James S. Crockett.
S. 6006. Mary J. Sanders.
S. 6010. Charles A. Dick.
S. 6013. Fenton Butterfield.
S. 6014. Margaret Sheridan.
S. 6017. Elizabeth Buckless.
S. 6018. Martha V. Coleman.
S. 6023. Emma S. Rowe.
S. 6038. Martha J. Bretney.
S. 6044. Peter M. Fritts.
S. 6049. Calvin Barker.
S. 6055. John G. Berry.
S. 6071. Oscar Avery.
S. 6079. Ella M. Decker.
S. 6081. William P. Stone.
S. 6086. Mary Alfrey.
S. 6090. Mary M. Nolan.
S. 6123. Emily S. Keller.
S. 6124. Georgia Ann Taylor.
S. 6135. Jean H. G. Kitchel.
S. 6139. Samuel R. Littrell.
S. 6145. Charles T. Blumenrother.
S. 6149. Jerome B. Wood.
S. 6150. Charles H. McCarty.
S. 6156. George D. Carter.
S. 6161. Hiram Bender.
S. 6164. Juliette Pierce.
S. 6174. Frank Pugsley.
S. 6180. Callie E. Kookan.
S. 6181. Seraphina Kain.
S. 6182. Ellen Milam.
S. 6193. Elmina Swan.
S. 6212. Harriet L. Willis.
S. 6213. Clara R. Squier.
S. 6223. John S. Colbath.
S. 6257. Jane Letcher.
S. 6260. Lovina J. Nudd.
S. 6273. Rufus N. Brown.
S. 6276. Sara J. Titsworth.
S. 6310. May C. Moore.
S. 6312. Horace L. Farmer.
S. 6338. Sarah E. Stoddard.
S. 6351. George H. Lewis.
S. 6353. Albert F. Wright.
S. 6356. David M. Hilton.
S. 6359. Hannah C. Van Tassel.
S. 6360. Samuel Brenner.
S. 6370. Edward E. Teter.
S. 6379. Joseph McKinsey.
S. 6393. William H. Miller.
S. 6394. George W. Brewer.
S. 6409. George W. Crouso.
S. 6421. Gertrude Cornwell.
S. 6422. Eden N. Leavens.
S. 6426. Murray V. Livingston.
S. 6432. George A. Blose.
S. 6434. Joel A. Ginter.
S. 6444. Hiram E. Tinker.
S. 6446. John C. Leith.
S. 6452. Lydia Irene Cheny.
S. 6464. Louisa Schenk.
S. 6465. William H. Howell.
S. 6481. Emily L. Small.
S. 6482. Isalah Davis.
S. 6483. Thomas H. Core.
S. 6498. Samuel Coleman.
S. 6529. Charles M. Milligan.
S. 6534. John W. Grubb.
S. 6545. James W. Sargent.
S. 6606. Sarah B. Hamer.

S. 6607. Eliza J. Riggs.
 S. 6608. Louisa C. Pangburn.
 S. 6610. John W. Gaddis.
 S. 6625. Caroline Dufner.
 S. 6630. Smith C. Hotchkiss.
 S. 6640. Charles Pettys.
 S. 6651. Margaret Williams.
 S. 6652. Murrandia Martin.
 S. 6664. Thomas Winegardner.
 S. 6666. Charles L. Stuck.
 S. 6669. Annie E. Yelton.
 S. 6696. Amanda E. Bateman.
 S. 6698. Ammazetta L. Nettleton.
 S. 6701. Byron C. Davis.
 S. 6705. Andrew J. Hall.
 S. 6707. Gordon H. Shepard.
 S. 6715. Charles Wickliffe.
 S. 6788. Hugh Smith.
 S. 6789. John C. Wilson.
 S. 6793. Maggie S. Northway.
 S. 6795. William H. D. Lancaster.
 S. 6796. Jay D. Morse.
 S. 6798. John Nelson.
 S. 6831. Perry G. Glines.
 S. 6855. Charles H. Flournoy.

Mr. SHIVELY, from the Committee on Pensions, submitted a report (No. 843), accompanied by a bill (S. 6981) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War and to certain widows and dependent relatives of such soldiers and sailors, which was read twice by its title, the bill being a substitute for the following pension bills heretofore referred to that committee:

S. 1021. Mary F. Gaddie.
 S. 1208. Edwin R. Gibson.
 S. 1540. Richard L. Miller.
 S. 1863. Patrick P. Finnerlin.
 S. 2436. Fritz Hedlund.
 S. 2995. Charles S. Allen.
 S. 4207. Maggie Norment.
 S. 4329. William R. Faulkner.
 S. 4389. F. Isabelle Lawrance.
 S. 4519. William M. Swart.
 S. 5030. Michael Grace.
 S. 5503. Lillian J. Hartley.
 S. 5527. William L. Rouner.
 S. 5535. Harry Jackson.
 S. 5537. Nathan Long.
 S. 5682. Catherine E. Prine.
 S. 5788. Alice I. Henderson.
 S. 5877. Frank Knitter.
 S. 5984. Margaretha Matthes.
 S. 5999. Samuel C. Cochran.
 S. 6037. Osco L. Robinson.
 S. 6216. John H. Burke.
 S. 6317. Martin L. Williams.
 S. 6472. James L. Redding.
 S. 6475. William A. Downs.
 S. 6512. Minnie Wadsworth Wood.
 S. 6513. Joseph G. Winkler.
 S. 6532. Frank Varney.
 S. 6544. Frank Sutterfield.
 S. 6602. Oscar Gray.
 S. 6618. Oscar O. Lee.
 S. 6647. Margaret A. Bennett.
 S. 6677. David O. Scott.
 S. 6805. John F. Davis.

Mr. DU PONT, from the Committee on Military Affairs, to which was referred the bill (S. 6061) for the relief of Robert W. Thompson, submitted an adverse report (No. 845) thereon, which was agreed to, and the bill was postponed indefinitely.

Mr. TILLMAN, from the Committee on Naval Affairs I report back the bill (S. 6866) for the relief of Vilhelm Torkildsen, because it was referred to that committee by an error. It is a bill which was referred to the Committee on Claims, and the chairman of that committee, the Senator from Florida [Mr. BRYAN], had it referred to the Committee on Naval Affairs. He thought it belonged to the Naval Committee. There is a lot of drudgery on that committee, and therefore he dumped it on us. I ask that the Committee on Naval Affairs be discharged from the further consideration of the bill and that it be referred back to the Committee on Claims.

The VICE PRESIDENT. If there is no objection, the bill will be rereferred to the Committee on Claims.

COLLECTOR OF CUSTOMS AT OMAHA, NEBR.

Mr. FLETCHER. I report back favorably from the Committee on Commerce without amendment the bill (H. R. 6867) to increase and fix the compensation of the collector of customs for the customs collection district of Omaha, and I submit a report (No. 844) thereon. I call the attention of the Senator from Nebraska [Mr. HITCHCOCK] to the report.

Mr. HITCHCOCK. I ask unanimous consent for the immediate consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to increase the compensation of the collector of customs for the customs collection district of Omaha from \$2,500 per annum, as provided in the plan of reorganization of the customs service promulgated by the President on March 3, 1913, to \$3,500 per annum, and provides that compensation at the rate of \$3,500 per annum shall be paid to the said collector of customs from and after June 30, 1913.

Mr. OVERMAN. Should not that matter go into the regular appropriation bill we are soon to consider—the legislative, executive, and judicial appropriation bill?

Mr. HITCHCOCK. This is a bill which was passed by the House of Representatives under the recommendation of the department, and is intended to correct an error which was made when the customs offices were reorganized. By that error the collection district of Omaha was placed down in the \$2,500 class. An effort has been made constantly since that time to correct that error, which was probably a typographical one.

Mr. OVERMAN. I understand the bill proposes to increase the salary over the present one, but that the present salary was fixed by an error.

Mr. HITCHCOCK. It is merely a nominal matter.

Mr. OVERMAN. Does not the Senator think this matter ought to be considered in the regular appropriation bill? We take care of such matters in the legislative appropriation bill. That bill will soon be before the Committee on Appropriations of the Senate.

Mr. HITCHCOCK. I will say to the Senator that this is a change of the law, and it has no place in an appropriation bill.

Mr. OVERMAN. I understand it is a change in the law; but if we pass these separate bills, we will never be able to tell where we are. We have to pass the general appropriation bill in which all these offices are provided for. In that bill we provide for all the customs offices, and why should we select one? Why not let this go in the regular way? I do not want to object to the consideration of the bill, however.

Mr. HITCHCOCK. I will say to the Senator that, to my mind, it would be objectionable in an appropriation bill to undertake to change a fixed law. The salary was fixed by an error when there was a general revision. This is a unanimous report from the committee. It is recommended by the department. It was unanimously reported by the committee in the House and unanimously passed the House of Representatives. It is merely to correct what should have been corrected more than a year ago.

Mr. OVERMAN. It would be subject to a point of order on the appropriation bill in the House of Representatives but not here.

Mr. HITCHCOCK. It would be a legislative act on an appropriation bill.

Mr. OVERMAN. That is done, as far as that is concerned, nearly every year. This provides for an increase of the statutory salary, and that is desired in nearly all the offices. I shall not object, however, at this time, but hereafter all bills which provide an increase of salary must go to the Committee on Appropriations, because in passing hundreds of separate bills here we do not know how to provide for them on the appropriation bill. This ought to go through the regular channel.

Mr. FLETCHER. Mr. President, this bill really does not provide for an increase of salary. It is, as the Senator from Nebraska has said, to correct an error plainly admitted by the department. It was reported by the Committee on Ways and Means of the House and it was properly referred to the Commerce Committee, and was reported from that committee, which has to do with customs offices. It is simply to correct an error in that office.

Mr. OVERMAN. As far as an increase of salary is concerned, I do not know whether the Committee on Commerce has anything to do with that. It should be properly considered by the Committee on Appropriations in the general appropriation bill.

Mr. FLETCHER. This bill simply corrects an error in the organization which, by mistake, fixed the salary at \$2,500 when it should have been fixed at \$3,500, as it belongs to that class.

Mr. OVERMAN. I understand there is no appropriation in the bill.

Mr. FLETCHER. It is merely to correct that error.

Mr. JONES. I wish to suggest that this bill does not carry an appropriation. I will ask the Senator from Nebraska if that is not the case.

Mr. HITCHCOCK. To tell the truth, I am not familiar with that point. I suppose it will have to pass through the hands of the Committee on Appropriations at the proper time.

Mr. JONES. What I wish to call to the attention of the Senator from North Carolina is that the bill simply changes the law and fixes the salary, and then the Committee on Appropriations will provide for the salary in the appropriation bill.

Mr. OVERMAN. If that is all, I have no objection. The Senator misunderstood me. I asked him if it increased the appropriation, and I understood him to say that it did.

Mr. HITCHCOCK. No.

The VICE PRESIDENT. There is no appropriation in the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PAY OF EMPLOYEES.

Mr. OVERMAN. From the Committee on Appropriations I report a joint resolution, and I ask unanimous consent for its present consideration.

The joint resolution (S. J. Res. 213) authorizing the Secretary of the Senate and the Clerk of the House to pay the officers and employees of the Senate and House, including the Capitol police, their respective salaries for month of December, 1914, on the 22d day of said month, was read the first time by its title and the second time at length and considered, as in Committee of the Whole, as follows:

Resolved, etc., That the Secretary of the Senate and the Clerk of the House of Representatives be, and they are hereby, authorized and instructed to pay the officers and employees of the Senate and House of Representatives, including the Capitol police, their respective salaries for the month of December, 1914, on the 22d day of December; and the Clerk of the House is authorized to pay on said day to Members, Delegates, and Resident Commissioners their allowance for clerk hire for said month of December.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BRISTOW:

A bill (S. 6982) granting an increase of pension to Francis E. Smith (with accompanying papers);

A bill (S. 6983) granting an increase of pension to Nelson Haggerty (with accompanying papers); and

A bill (S. 6984) granting an increase of pension to Edwin Rudrauff (with accompanying papers); to the Committee on Pensions.

By Mr. THOMPSON:

A bill (S. 6985) granting a pension to Isaac Clark (with accompanying papers); and

A bill (S. 6986) granting a pension to Hannah H. Ahlstrom (with accompanying papers); to the Committee on Pensions.

By Mr. SHIVELY:

A bill (S. 6987) authorizing the Secretary of War, in his discretion, to deliver to the city of Shelbyville, in the county of Shelby, State of Indiana, four condemned bronze or brass field-pieces, with a number of cannon balls;

A bill (S. 6988) authorizing the Secretary of War, in his discretion, to deliver to the city of Vincennes, in the county of Knox, State of Indiana, two condemned bronze or brass field-pieces, with a number of cannon balls; and

A bill (S. 6989) for the relief of Charles W. Townsend; to the Committee on Military Affairs.

By Mr. TOWNSEND:

A bill (S. 6990) granting an increase of pension to John J. Calkins (with accompanying papers); to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 6991) granting a pension to Percy A. Farrar (with accompanying papers); and

A bill (S. 6992) granting a pension to Jennie O. Collins (with accompanying papers); to the Committee on Pensions.

By Mr. BURTON:

A bill (S. 6993) granting an increase of pension to James L. van Allen (with accompanying papers); and

A bill (S. 6994) granting an increase of pension to Joanna Swander (with accompanying papers); to the Committee on Pensions.

By Mr. STONE (by request):

A bill (S. 6995) for the relief of the Buffalo River Zinc Mining Co.; to the Committee on Claims.

By Mr. CHAMBERLAIN:

A bill (S. 6996) granting a pension to William A. Taylor (with accompanying papers); to the Committee on Pensions.

AMENDMENT TO DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. WORKS submitted an amendment proposing to appoint a commission of five persons, to be known as the "house commission," in the District of Columbia, intended to be proposed by him to the District of Columbia appropriation bill (H. R. 19422), which was referred to the Committee on Appropriations and ordered to be printed.

BANKING AND CREDIT.

On motion of Mr. LEWIS, it was

Ordered, That Bulletin No. 90, special agents series, Department of Commerce, entitled "Banking and Credit in Argentina, Brazil, Chile, and Peru," be printed as a document.

RATES FOR OCEAN TRANSPORTATION.

Mr. FLETCHER. I offer a resolution and ask unanimous consent for its present consideration.

The resolution (S. Res. 504) was read, as follows:

Resolved, That the Secretary of the Treasury and the Secretary of Commerce be requested to furnish all available information in relation to the increased rates for ocean transportation which have taken place since July 1, 1914, and any and all other facts relating to ocean transportation which adversely affect or injure American commerce.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. SMITH of Georgia. I will be glad to have the resolution read once more. I did not catch the first part of it.

The VICE PRESIDENT. It will be again read.

The resolution was again read, and it was considered by unanimous consent and agreed to.

INDIAN LAWS AND TREATIES.

Mr. NORRIS submitted the following resolution (S. Res. 505), which was read and referred to the Committee on Printing:

Resolved, That there be printed 1,000 copies of Senate Document No. 719, Sixty-second Congress, second session, Indian Laws and Treaties, part 3, for the use of the Senate.

TEMPORARY AND SPECIAL COMMISSIONS.

Mr. WILLIAMS submitted the following resolution (S. Res. 506), which was read and referred to the Committee on the Library:

Resolved, That the Librarian of Congress is hereby directed to furnish to the Senate a report, to be prepared in the legislative reference division of the Library, showing what temporary or special commissions are now in existence by virtue of Federal law, or of concurrent or joint or Senate or House resolution or Executive regulation, and by virtue of what law, resolution, or regulation the same are constituted, how long they have been in operation, and what they have thus far cost the United States Government.

Such report to be accompanied by a statement showing what they have done and are doing and how soon they expect to be done with their work, the data for such statement to be furnished to the Librarian by the several commissions, which are hereby directed to respond to requests from him for the same.

CIVIL WAR VOLUNTEER OFFICERS' RETIRED LIST.

The VICE PRESIDENT. The morning business is closed.

Mr. TOWNSEND. I move to take up for consideration Senate bill 392. I do this for this reason, and I make this explanation to the Senator from South Carolina [Mr. SMITH]. This bill has been considered on several occasions and amendments have been made to it, so that it is practically completed so far as that is concerned, and apparently is ready for the vote. It has been before the Senate, under notice and otherwise, a number of times. I am asking that it be considered now, not to supplant the regular order, which will be in order at 2 o'clock, when this bill would have to be laid aside for its consideration, but in order that we may take it up this morning and devote some time to it, with the hope of getting a vote upon it. Therefore I move that the Senate proceed to the consideration of the bill (S. 392) to create in the War Department and Navy Department, respectively, a roll designated as "the Civil War volunteer officers' retired list," to authorize placing thereon with retired pay certain surviving officers who served in the Army, Navy, or Marine Corps of the United States in the Civil War, and for other purposes.

Mr. SMITH of Georgia. There are two notices of speeches for this morning to follow immediately after the morning business—one by the Senator from Washington [Mr. JONES] and the other by the Senator from Texas [Mr. SHEPPARD].

The VICE PRESIDENT. This is one of the questions that is not debatable, and the Chair is required to enforce the rule. The question is on the motion of the Senator from Michigan.

Mr. SMITH of Georgia. Still, Mr. President, I do not think that would prevent me from calling attention to the fact.

The VICE PRESIDENT. No; the Chair is not making any statement adverse to the statement of the Senator from Georgia. He is simply calling attention to the rule that a motion to take up a bill during the morning hour is not debatable.

Mr. OVERMAN. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	O'Gorman	Smith, Ga.
Borah	Gallinger	Oliver	Smith, Md.
Brandeggee	Gronna	Overman	Smith, S. C.
Bristow	Hardwick	Page	Smoot
Bryan	Hughes	Perkins	Sterling
Burton	Jones	Pittman	Stone
Camden	Kenyon	Polindexter	Sutherland
Catron	La Follette	Reed	Swanson
Chamberlain	Lane	Robinson	Thomas
Chilton	Lea, Tenn.	Root	Thompson
Clapp	Lee, Md.	Saulsbury	Thornton
Clark, Wyo.	Lippitt	Shafroth	Townsend
Crawford	Lodge	Sheppard	Vardaman
Culberson	McCumber	Sherman	Warren
Cummins	Martine, N. J.	Shively	Weeks
Dillingham	Nelson	Simmons	Williams
du Pont	Norris	Smith, Ariz.	Works

The VICE PRESIDENT. Sixty-eight Senators have answered the roll call. There is a quorum present. The pending question is on the motion of the Senator from Michigan [Mr. TOWNSEND] to proceed to the consideration of Senate bill 392.

Mr. TOWNSEND. Upon that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CHILTON (when his name was called). I have a general pair with the Senator from New Mexico [Mr. FALL]. In his absence I shall not vote.

Mr. DU PONT (when his name was called). I have a general pair with the senior Senator from Texas [Mr. CULBERSON]. As that Senator is not in the Chamber, I will withhold my vote. If I were at liberty to vote, I should vote "yea."

Mr. SAULSBURY (when his name was called). I transfer my pair with the junior Senator from Rhode Island [Mr. COLT] to the senior Senator from Alabama [Mr. BANKHEAD] and vote "nay."

Mr. SUTHERLAND (when his name was called). I am paired with the Senator from Arkansas [Mr. CLARKE], who is absent. On that account I withhold my vote.

Mr. TILLMAN (when his name was called). I have a general pair with the Senator from West Virginia [Mr. GOFF]. In his absence I withhold my vote.

Mr. VARDAMAN (when his name was called). I have a general pair with the junior Senator from Idaho [Mr. BRADY]. I transfer that pair to the senior Senator from Nevada [Mr. NEWLANDS] and vote "nay."

Mr. WEEKS (when his name was called). I inquire if the senior Senator from Kentucky [Mr. JAMES] has voted?

The VICE PRESIDENT. That Senator has not voted.

Mr. WEEKS. I have a general pair with that Senator, and therefore I withhold my vote.

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the Senator from Illinois [Mr. LEWIS] and vote "nay."

The roll call was concluded.

Mr. MYERS. I am paired with the Senator from Connecticut [Mr. MCLEAN]. I inquire if that Senator has voted?

The VICE PRESIDENT. The Senator from Connecticut has not voted.

Mr. MYERS. Then I transfer my pair with that Senator to the Senator from Oklahoma [Mr. OWEN] and vote "nay."

Mr. DILLINGHAM (after having voted in the affirmative). I observe that the senior Senator from Maryland [Mr. SMITH] has not voted. I have a pair with him, and therefore I withdraw my vote.

Mr. CATRON. I have a general pair with the Senator from Oklahoma [Mr. OWEN], but by an agreement between us while we are both in the city either one is authorized to vote. I vote "yea."

Mr. SUTHERLAND. I transfer my pair with the Senator from Arkansas [Mr. CLARKE] to the junior Senator from Wisconsin [Mr. STEPHENSON] and vote. I vote "yea."

Mr. CHILTON. I transfer my pair with the Senator from New Mexico [Mr. FALL] to the senior Senator from Virginia [Mr. MARTIN] and vote "nay."

Mr. REED (after having voted in the negative). I am informed that the Senator from Michigan [Mr. SMITH], with whom I am paired, is out of the city. Under those circumstances, and not knowing how he would vote on this question if present, I withdraw my vote.

Mr. ROOT. I inquire if the Senator from Colorado [Mr. THOMAS] has voted?

The VICE PRESIDENT. He has not.

Mr. ROOT. I have a general pair with that Senator, and because of his absence I withhold my vote. If at liberty to vote, I should feel constrained to vote "nay."

Mr. TOWNSEND. I desire to state with reference to the senior Senator from Michigan [Mr. SMITH] that he is absent from the city, and, if present, he would vote "yea."

Mr. CHILTON. I wish to announce the pair of the Senator from New Hampshire [Mr. HOLLIS] with the Senator from Maine [Mr. BURLEIGH].

The result was announced—yeas 38, nays 32, as follows:

YEAS—38.

Borah	Gallinger	McCumber	Sherman
Brandeggee	Gronna	Martine, N. J.	Smoot
Bristow	Hitchcock	Nelson	Sterling
Burton	Johnson	Norris	Sutherland
Catron	Jones	Oliver	Thompson
Chamberlain	Kenyon	Page	Townsend
Clapp	Kern	Perkins	Warren
Clark, Wyo.	Lane	Pittman	Works
Crawford	Lee, Md.	Polindexter	
Cummins	Lippitt	Pomerene	

NAYS—32.

Ashurst	La Follette	Saulsbury	Smith, S. C.
Bryan	Lea, Tenn.	Shafroth	Stone
Camden	Lodge	Sheppard	Swanson
Chilton	Myers	Shields	Thornton
Fletcher	O'Gorman	Shively	Vardaman
Gore	Overman	Simmons	Walsh
Hardwick	Ransdell	Smith, Ariz.	White
Hughes	Robinson	Smith, Ga.	Williams

NOT VOTING—26.

Bankhead	du Pont	Martin, Va.	Smith, Mich.
Brady	Fall	Newlands	Stephenson
Burleigh	Goff	Owen	Thomas
Clarke, Ark.	Hollis	Penrose	Tillman
Colt	James	Reed	Weeks
Culberson	Lewis	Root	
Dillingham	McLean	Smith, Md.	

So the motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 392) to create in the War Department and Navy Department, respectively, a roll designated as "The Civil War volunteer officers' retired list," to authorize placing thereon with retired pay certain surviving officers who served in the Army, Navy, or Marine Corps of the United States in the Civil War, and for other purposes.

The VICE PRESIDENT. The Secretary will state the pending amendment.

The SECRETARY. On page 4, line 24, after the word "officer," the Committee on Military Affairs reported an amendment to strike out "three-fourths" and to insert "one-half," so as to read:

It shall be payable quarterly, and shall not exceed, in the case of any surviving officer, one-half of the initial active pay now received by a captain in the United States Army.

Mr. JONES. Mr. President, I had announced that I would speak to-day after the conclusion of the routine morning business, but I understand that the Senator from South Carolina [Mr. SMITH] is going to ask to fix a time to vote on the immigration bill. In view of the situation in the Senate and of the fact that the Senator from Texas [Mr. SHEPPARD] has announced that he would desire to speak this morning, I shall waive my position so far as that is concerned and yield, and come in under legislative business whenever an opportunity is afforded.

Mr. SHEPPARD obtained the floor.

Mr. TOWNSEND. Mr. President, will the Senator from Texas yield to me for a moment?

The PRESIDING OFFICER (Mr. MARTINE of New Jersey in the chair). Does the Senator from Texas yield to the Senator from Michigan?

Mr. SHEPPARD. I yield.

Mr. TOWNSEND. I should like very much to make an appeal to the Senator from Texas to the effect that he allow us to proceed with the consideration of the bill that is now before the Senate. It is the matter now properly before us. The bill to which the Senator proposes to talk is not now here. It may come before the Senate, at which time, of course, ample and proper opportunity for its discussion will be given.

I realize, of course, that the Senator from Texas is not favorable to the bill which is now pending, and yet I believe he is a fair gentleman—I have always found him so—and it occurs to me that inasmuch as the Senate has expressed itself on this particular subject we ought to have a chance to consider it, and I shall feel it my duty, inasmuch as a majority of the Senate seems to be favorable to its consideration, to call it up on every occasion. I should like to have it considered now. The Senate has voted to consider it now. I believe we can

reach a vote on it if Senators are willing to trust the Senate that far, and the matter can be either voted up or voted down and thus put out of the way.

For these reasons I ask the Senator if he will not address the Senate later and at a time when the matter about which he wishes to speak is before it, and allow us to proceed at this time with the matter that is now pending.

Mr. SHEPPARD. Mr. President, I gave notice yesterday that I would address the Senate to-day on this question. I shall not consume any great length of time. The matter is to be voted on in the House of Representatives next Tuesday, and is now before the country. I have no desire whatever unnecessarily to obstruct any proceedings or the will of the Senate, but I prefer to conclude my remarks now.

Mr. TOWNSEND. I thought possibly the Senator might be willing to address the Senate later in the day, when this bill would not be before it.

Mr. SHEPPARD. I shall state to the Senator that I had made all my arrangements to deliver this speech at this time, and with his permission I shall be glad to proceed.

The PRESIDING OFFICER. The Senator from Texas has the floor.

NATION-WIDE PROHIBITION.

Mr. SHEPPARD. Mr. President, I send to the desk to have read Senate joint resolution 88, proposing an amendment to the Constitution of the United States providing for nation-wide prohibition. The joint resolution is in the form in which it is to be voted on in the House next Tuesday, and in the form in which I have requested the subcommittee of the Judiciary Committee having it under consideration to report it to the full committee.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read the joint resolution, as follows:

Whereas exact scientific research has demonstrated that alcohol is a narcotic poison, destructive and degenerating to the human organism, and that its distribution as a beverage or contained in foods lays a staggering economic burden upon the shoulders of the people, lowers to an appalling degree the average standard of character of our citizenship, thereby undermining the public morals and the foundation of free institutions, produces widespread crime, pauperism and insanity, inflicts disease and untimely death upon hundreds of thousands of citizens, and blights with degeneracy their children unborn, threatening the future integrity and the very life of the Nation: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring), That the following amendment of the Constitution be, and hereby is, proposed to the States, to become valid as a part of the Constitution when ratified by the legislatures of the several States, as provided by the Constitution:

"ARTICLE —.

"SECTION 1. The sale, manufacture for sale, transportation for sale, importation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof, and exportation for sale therefrom, are forever prohibited.

"SEC. 2. The Congress or the States within their respective jurisdictions shall have power to enforce this article by all needful legislation."

Mr. SHEPPARD. Mr. President, the question of submitting an amendment to the Federal Constitution may well embrace an inquiry into the basic principles of our system of government. During the present session an amendment depriving both Federal and State Governments of the power to authorize the liquor traffic will be voted on in the House and possibly in the Senate also.

One of the principal objections to this amendment is that it is an invasion of the rights of the States, an interference with their police powers. The makers of these objections admit that Congress is without power to adopt the amendment; that Congress may only submit it to the States for acceptance or rejection, deciding whether they may act through legislatures or conventions. They say, however, that it is such a violation of State rights that they will not permit the States to pass upon it lest three-fourths or more of the States might impose it on the remainder. In other words, they believe that as long as any State desires to authorize the liquor traffic, that most terrible menace to the Nation's happiness and prosperity, it must be permitted to do so.

I can understand how an antiprohibitionist, who believes that no unit of government should attempt to stop the liquor traffic, would oppose the adoption of the amendment after its submission. I can even conceive how extreme antiprohibitionists, who are obsessed with the idea that the disappearance of the saloon means the death of liberty, might in the vehemence of their opposition to any measure coming from the other side vote against the submission of the amendment. But how any prohibitionist, honestly desiring to see the curse uprooted, can delude himself with the idea that the right of one or a few States to harbor the liquor traffic is superior to the right of

three-fourths of the States to terminate it in this Republic is a matter both of wonder and humiliation. Equally surprising and equally sad is the spectacle of a prohibitionist shielding the liquor traffic with the contention that the submission of a question to the States for their determination under methods described and sanctioned by them is a violation of the rights of the States.

Under the form of government that preceded the present system it required the consent of all the States to effect any change in the Constitution. That Constitution was called "Articles of Confederation and Perpetual Union Between the States," and Article XIII of that instrument read as follows:

Every State shall abide by the determinations of the United States in Congress assembled on all questions which by this confederation is submitted to them. And the articles of this confederation shall be inviolably observed by every State, and the union shall be perpetual; nor shall any alteration at any time hereafter be made in any of them unless such alteration be agreed to in a Congress of the United States and be afterwards confirmed by the legislatures of every State.

Some gentlemen seem to think that we are still living under this confederation, which went out of existence in 1789, 125 years ago. They argue that this liquor amendment should be agreed to on its merits in Congress and be satisfactory to every State before it should be adopted, and that any other view is subversive of State rights. These gentlemen belong to the eighteenth century, not the twentieth; to the confederation, not the Union; to the dead past, not the living present.

During the convention which framed the present system, the convention of 1787, there were clashes on the question of amending the new Constitution. It will be sufficient for our purposes to take up the article providing for amendments to the Constitution when it had reached the following form in the proceedings of the convention:

ART. V. The Congress, whenever two-thirds of both Houses shall deem necessary, or on the application of two-thirds of the legislatures of the several States, shall propose amendments to this Constitution, which shall be valid to all intents and purposes as part thereof, when the same shall have been ratified by three-fourths, at least, of the legislatures of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by Congress: *Provided*, That no amendment which may be made prior to the year 1808 shall in any manner affect the first and fourth clauses of the ninth section of Article I.

The first and fourth clauses of the ninth section of Article I referred to the foreign slave trade and to the mode of levying direct taxes, respectively. Mr. Sherman, a member of the convention from Connecticut, took the floor when this article was presented in the form I have quoted, and I shall now give the further proceedings in the exact language of Madison's Minutes:

Mr. Sherman expressed his fears that three-fourths of the States might be brought to do things fatal to the particular States, as abolishing them altogether or depriving them of their equality in the Senate. He thought it reasonable that the proviso in favor of the States importing slaves should be extended so as to provide that no State should be affected in its internal police or deprived of its equality in the Senate.

Col. Mason thought the plan of amending the Constitution exceptionable and dangerous. As the proposing of amendments is in both the modes to depend, in the first immediately, and in the second ultimately, on Congress, no amendments of the proper kind would ever be obtained by the people if the Government should become oppressive, as he verily believed would be the case.

I pause here to say that Col. Mason's fears as to the difficulty of securing the submission of constitutional amendments by Congress are fully borne out by the experience that millions of the American people are now having in persuading Congress to submit the liquor amendment.

Let us proceed with Madison's account:

Mr. Gouverneur Morris and Mr. Gerry moved to amend the article so as to require a convention on application of two-thirds of the States.

Mr. Madison did not see why Congress would not be as much bound to propose amendments applied for by two-thirds of the States, as to call a convention on the like application. He saw no objection, however, against providing for a convention for the purpose of amendments, excepting that difficulties might arise as to the form, the quorum, etc., which in constitutional regulations ought to be as much as possible avoided.

The motion of Mr. Gouverneur Morris and Mr. Gerry was agreed to nem. con.

Mr. Sherman moved to strike out of Article V, after "legislatures," the words "of three-fourths," and so after the word "conventions," leaving future conventions to act in this matter like the present convention according to circumstances.

Here the issue was squarely raised in the convention that framed the present Constitution as to whether the consent of every State should be required as to amendments. Returning to Madison's record we find the following:

On this motion—Massachusetts, Connecticut, New Jersey, ayes—3; Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, noes—7; New Hampshire, divided.

What! Can it be true that all the Southern States participating in that great convention, namely, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, voted

down a motion requiring the consent of all the States to amendments to the Federal Constitution; that the only Northern State voting with them was Pennsylvania? What are we to think of these modern guardians of State rights in the South who talk so solemnly about the "sacrilege" of adopting any amendment "against the will of a sovereign State"?

Let us again take up Madison's notes:

Mr. Gerry moved to strike out the words "or by conventions in three-fourths thereof"; on which motion—

Connecticut, aye—1; New Hampshire, Massachusetts, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, no—10.

Mr. Sherman moved, according to his idea above expressed, to annex to the end of the article a further proviso "that no State shall, without its consent, be affected in its internal police or deprived of its equal suffrage in the Senate."

Mr. MADISON. Begin with these special provisos and every State will insist on them, for their boundaries, exports, etc.

On the motion of Mr. Sherman—

Connecticut, New Jersey, Delaware, aye—3; New Hampshire, Massachusetts, Pennsylvania, Maryland, Virginia, North Carolina, South Carolina, Georgia, no—8.

Wonderful to relate! The States of Maryland, Virginia, North Carolina, South Carolina, and Georgia voted down a motion in the convention that created the present Constitution that no State should, without its consent, be affected in its internal police; that is, in the exercise of its police powers—all the Southern States but one, that one being Delaware. What becomes of these contemporary saints of Democracy who affect dramatic poses and pretend to be outraged because of the alleged interference of the prohibition amendment with the police powers of the States?

But let us follow Madison's Minutes further:

Mr. Sherman then moved to strike out Article V altogether.

Mr. Brearly seconded the motion; on which—Connecticut, New Jersey, aye, 2; New Hampshire, Massachusetts, Pennsylvania, Maryland, Virginia, North Carolina, South Carolina, Georgia, no, 8; Delaware, divided.

Mr. Gouverneur Morris moved to annex a further proviso, "that no State, without its consent, shall be deprived of its equal suffrage in the Senate."

This motion, being dictated by the circulating murmurs of the small States, was agreed to without debate, no one opposing it, or, on the question, saying "no."

Thus the right of three-fourths of the States to amend the present Federal Constitution was established by the votes of Southern States. It was so established in the face of the fact that the issue of interference with the police powers, nay, of the very existence of particular States, was specifically raised—raised not by anybody from the South, but by a northern man. Will anyone say that the southern men who helped to make the present Constitution were not as capable of preserving the true rights of the States or were not as devoted to the maintenance of their integrity as these present-day statesmen who clamor for the right of one State to block the progress of the Nation, and many of whom are using the argument of State rights as a mask for the death's head of the liquor traffic?

So deep is the reverence in which the framers of the Constitution are held that they are often referred to as "the fathers." Who were the fathers who came up from the South to aid in fashioning the mightiest written instrument ever devised by man? From Virginia came George Washington, John Blair, James Madison, Edmund Randolph, George Mason, George Wythe, and James McClurg; from North Carolina, William Blount, Richard Dobbs Spaight, Hugh Williamson, Alexander Martin, and William Richardson Davie; from South Carolina, J. Rutledge, Charles Cotesworth Pinckney, Charles Pinckney, and Pierce Butler; from Georgia, William Few, Abraham Baldwin, William Pierce, and William Houston; from Maryland, James McHenry, Daniel of St. Thomas Jenifer, Daniel Carroll, John Francis Mercer, and Luther Martin; from Delaware, George Read, Gunning Bedford, John Dickinson, Richard Bassett, and Jacob Broom.

These men and their associates from the other States realized that the peoples of the States were the constituent bodies of the Nation and that the structure of the Nation should always be subject to their control. They realized that the new Constitution would have to be changed from time to time to meet the changing needs of succeeding ages. They understood the principle expressed a few years later by Burke in his "Reflections on the Revolution in France," when he said:

A State without the means of some change is without the means of its conservation.

In this connection let me say that Jefferson in a letter to Madison from Paris, September 6, 1789, expressed the belief that every constitution and every law naturally expired every 34 years; that no society could make a perpetual constitution or even a perpetual law; that the earth belonged to the living and not to the dead.

Article V of the Constitution, as finally adopted by the Convention of 1787 and as it exists to-day, is as follows:

The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution or, on the application of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States or by conventions in three-fourths thereof as the one or the other mode of ratification may be proposed by Congress: *Provided*, That no amendment which may be made prior to the year 1808 shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

So it develops that the amending power of the present Constitution consists to-day of three-fourths of the States, except as to the matter of representation in the Senate, while that of the confederation consisted of all the States. So it develops that the peoples of the States, in adopting the present Constitution, clothed three-fourths of the States with the right to say what changes should be made in the character of American Government, to say what powers should from time to time be conferred on State and Nation, what powers should, if necessary, be taken from them, to make such alteration in the division of governmental functions as would adapt the Constitution to the emergencies of the years. It seemed wise to the fathers to deprive any single State or even a fourth of the States of the right to oppose their will against the will of so overwhelming a majority as three-fourths. State sovereignty, therefore, means under the Constitution the sovereignty of States acting through three-fourths of their number, not of a single State acting alone.

When the amending power passed from the equal control of all the States to that of three-fourths the States, the right of a single State to reject any constitutional change imposed by three-fourths of the States, except as to equal representation in the Senate, perished. This does not mean that any single State lost the essence of sovereignty any more than that a citizen could be said to lose the character of a sovereign citizen because he may have voted in the minority at a given time. The State that votes in the minority on a constitutional amendment this year may be among the majority next year.

That the amending power clothed the States acting through a three-fourths majority with the right to go so far as to abolish the Constitution itself was clearly understood by Calhoun, one of the keenest intellects, in my opinion, that the American Senate has ever known and admittedly our foremost exponent of the doctrine of State rights. Replying to Webster on February 26, 1833, he said:

In connection with this point the Senator, to prove that the Constitution is not a compact, asserts that it is wholly independent of the State, and pointedly declares that the States have not a right to touch a hair of its head; and this with that provision in the Constitution that three-fourths of the States have a right to alter, change, amend, or even to abolish it staring him in the face.

Further on in the same address he said:

The plain state of the facts as regards our Government is that these States have agreed by compact to exercise their sovereign powers jointly, as already stated, and that for this purpose they have ratified the compact in their sovereign capacity, thereby making it the constitution of each State, in no wise distinguished from their own separate constitutions, but in the superadded obligation of compact—of faith mutually pledged to each other. In this compact they have stipulated, among other things, that it may be amended by three-fourths of the States—that is, they have conceded to each other by compact the right to add new powers or to subtract old by the consent of that proportion of the States without requiring as otherwise would have been the case the consent of all—a modification no more inconsistent with their sovereignty than any other contained in the compact. In fact, the provision to which I allude furnishes strong evidence that the sovereignty is as I contend in the States severally, as the amendments are affected not by any one three-fourths but by any three-fourths of the States, indicating that the sovereignty is in each of the States.

Calhoun shows in this masterful analysis that the doctrine of State rights justifies the cession of additional powers to the Federal Government by three-fourths of the States, although against the consent of individual States. And the Member of Congress who rushes to the rescue of the liquor traffic and says that his idea of State rights will not permit him to vote to enable three-fourths of the States to deprive any individual State, against its consent, of authorizing this infamous business is repudiating the definition of State rights by their most celebrated, their most profound, their ideal defender, John C. Calhoun.

In his Disquisition on Government, composed in 1848 and 1849, shortly before his death, Calhoun explains at length and with his usual clearness, why three-fourths of the States should have the right to bind all the States. And I shall pause long enough to say here that, in my judgment, there is nothing more finely reasoned in all the writings of men than the discourse of Calhoun on the philosophy of all government in general and the American Government in particular. In this immortal

work Calhoun said in part regarding the right of three-fourths of the States to amend the Federal Constitution:

But independently of these considerations, there were strong reasons for adopting that proportion in providing a power to amend. It was at least as necessary to guard against too much facility as too much difficulty in amending it. If, to require the consent of all the States for that purpose would be in effect to prevent amendments which time should disclose to be, or change of circumstances make necessary—so on the other hand to require a bare majority only, or but a small number in proportion to the whole, would expose the Constitution to hasty, inconsiderate, and even sinister amendments on the part of the party dominant for the time. If the one would give it too much fixedness, the other would deprive it of all stability. Of the two the latter would be more dangerous than the former.

Again, he said in reference to the amending power:

It is safe, because the proportion is sufficiently large to prevent a dominant portion of the Union or combination of the States from using the amending power as an instrument to make changes in the Constitution adverse to the interests and rights of the weaker portion of the Union or a minority of the States. It may not, in this respect, be as perfectly safe as it would be in the unmodified state in which it outlined and established the Constitution; but for all practical purposes it is believed to be safe as an amending power. It is difficult to conceive a case where so large a portion as three-fourths of the States would undertake to insert a power by way of amendment which, instead of improving and perfecting the Constitution, would deprive the remaining fourth of any right essentially belonging to them as members of the Union or clearly intended to oppress them. There are many powers which a dominant combination of States would assume by construction and use for the purpose of aggrandizement which they would not dare to propose to insert as amendments. But should an attempt be successfully made to engraft an amendment for such a purpose the case would not be without remedy, as will be shown in the proper place.

So we have it from the lips of Calhoun, the greatest apostle of State rights in American history, that three-fourths of the States may be safely and wisely trusted to adopt proper constitutional changes. And yet the whisky forces have the audacity to contend that it is a violation of State rights for a single State to be deprived by three-fourths of the States of the power to license the liquor business.

The position of Calhoun in reference to the subordination of one or a few States to the will of three-fourths of the States in the matter of amendments to the Constitution is an entirely different proposition from his famous doctrine of nullification. This doctrine was aimed at the usurpation of undelegated powers by the Federal Government, and had no concern with powers delegated by three-fourths of the States to the Federal Government in the manner prescribed by the Constitution. He believed that a power usurped by the Federal Government—a power exercised by it without the authority or sanction of the Constitution—was devoid of any legal existence or effect, and that any State had the right to disregard and repudiate it.

Likewise the Virginia and Kentucky resolutions had no relation whatever to powers delegated to the Federal Government through the regular process of constitutional amendment. They denounced the assumption of undelegated powers by the Federal Government, of powers that had received no sanction from the States acting through three-fourths their number, as prescribed by the Constitution. These resolutions were provoked by the enactment in Congress of a group of laws known as the alien and sedition acts, the most offensive features of which were, first, the investment of the President with the power to remove aliens from the country on his own motion, and, second, the punishment by fine and imprisonment of "unlawfully" combining or conspiring to oppose any measure of the Government of the United States or of publishing any "false, scandalous, and malicious writing" against the Government of the United States, either House of Congress, the President, and so forth. These acts represented a deliberate usurpation by Congress of powers not only not delegated by the Constitution but, in the case of some of them, expressly forbidden by it. The Kentucky resolutions, drafted by Jefferson, introduced by John Breckenridge in the Legislature of Kentucky in November, 1798, and soon adopted, were in part as follows:

Resolved, That the several States comprising the United States of America are not united on the principle of unlimited submission to their General Government, but that by compact under the style and title of a Constitution for the United States and of amendments thereto they constituted a General Government for special purposes, delegated to that Government certain definite powers, reserving each State to itself the residuary mass of right to their own self-government; and that whenever the General Government assumes undelegated powers its acts are unauthorized, void, and are of no force.

Further along in the resolutions the expression occurs—

And that, therefore, this Commonwealth is determined, as it doubts not its co-States are, tamely to submit to undelegated and consequently unlimited powers in no man or body of men on earth.

In the following December came the Virginia resolutions. They were drawn by Madison, and read in part:

That the assembly doth explicitly and peremptorily declare that it views the powers of the Federal Government as resulting from the compact to which the States are parties, as limited by the plain sense and intention of the instrument constituting that compact, as no further valid than they are authorized by the grants enumerated in that compact, and that in case of a deliberate, palpable, and dangerous exercise

of other powers not granted by the said compact the States who are parties thereto have the right and are in duty bound to interpose for arresting the progress of the evil and for maintaining within their respective limits the authority, rights, and liberties appertaining to them.

Again, say these Virginia resolutions:

That the general assembly doth particularly protest against the palpable and alarming infractions of the Constitution in the two late cases of the "alien and sedition acts," passed at the last session of Congress, the first of which exercised a power nowhere delegated to the Federal Government, etc., and the other of which acts exercises in like manner a power not delegated by the Constitution, but, on the contrary, expressly and positively forbidden by one of the amendments thereto—

And so forth.

There is not a syllable in the Kentucky and Virginia resolutions denying the rights of the States to exercise the amending function, to add, as Calhoun says, new powers or to subtract old through the action of three-fourths of their number. These resolutions were aimed at infractions of existing powers and the assumption of undelegated ones. They had no possible relation to the question of amending the Constitution. I do not believe it will be seriously contended that the limitation and distribution of powers first made by the Constitution were intended to remain forever fixed. If so, the amending clause would have been without sense or purpose, and the debates thereon in the constitutional convention without meaning. The Constitution itself would have had no means of change to meet the new conditions of the crowding years.

When the question of slavery began to divide the country, the South invoked the principle of State rights on the same theory that the Kentucky and Virginia resolutions had invoked them. The only difference was that the resolutions denounced an infraction of existing powers by the General Government, while the South denounced their infraction by a large portion of the North. In the convention of 1787 the New England States had voted with Georgia and South Carolina to continue the foreign slave trade for 30 years, and the Constitution as finally adopted by both Northern and Southern States provided that the slaves should be counted in determining the basis of representation of each State in Congress and for the return of fugitive slaves. Slavery, bad as it was, had been recognized, therefore, by the Constitution. The nullification of the fugitive slave law by the legislatures of 14 Northern States was an infraction of a right guaranteed to the States under the plain language of the Constitution. The right of the States to amend the Constitution was not involved in the controversy over slavery. The clamor rose for an antislavery Bible, an antislavery God, an antislavery Constitution, and the Constitution itself was denounced as a covenant with death and an agreement with hell. To-day we have, as we have always had, an antiwhisky Bible; we have, as we have always had, an antiwhisky God. Millions of the American people, both North and South, now want Congress to give them a chance to establish an antiwhisky Constitution. They realize that as long as the Constitution fails to prohibit the existence of the liquor traffic anywhere in this Republic it is still a covenant with death and an agreement with hell.

It should be added here that the greatest tribute to the States as the organic power in this Republic they have ever received may be found in the fact that although human slavery had been destroyed by war the victorious section never felt that its abolition had been finally and properly consummated until the consent of three-fourths of the States had been at least nominally secured to an amendment to the Constitution forever prohibiting it.

Reviewing what has herein been developed, analyzing the debates on the amending power and the votes of Southern States in the Constitutional Convention, the language of the amending section, the commentaries by Jefferson and Calhoun, the spirit of the Kentucky and Virginia resolutions, the nature of the protest of the Southern States before the Civil War against what they believed to be a violation of existing and delegated rights—it will be seen that there is nothing in southern tradition or in southern belief opposing the right of the States by a three-fourths vote to alter the Constitution in such way as to promote the material and moral welfare of the American people. The cry of State rights that has been raised to shield the liquor traffic from the anger of a people aroused and outraged is so spurious that honest and patriotic men who may be influenced by it now will be ashamed of it before this session of Congress closes. The claim that a single State may harbor an evil that both disgraces and imperils the Republic is an admission that the constituent elements of the American Nation are without the power to preserve it. A nation that can not preserve itself ought to die, and it will die—die in the grasp of the evils it is too feeble to overthrow.

The final sovereignty in this Republic rests, as I view it, coequally with the peoples of the States. They ordained the

dual system embodied in the Federal and State Constitutions, and they have delegated certain functions in trust to Federal and State Governments. They have ordained that the present system may be extended or modified in accordance with the will of three-fourths of these constituent bodies. There can therefore be no more perfect exercise of fundamental rights by the States than through the amending power of the Federal Constitution. The man who votes against the submission of this prohibition amendment is opposing the exercise of one of the most sacred rights the peoples of the States possess, the right to shape the character of the Federal Government. Alexander Stephens, the gifted Georgian, expressed the situation admirably in his monumental work on the War between the States, when he said:

There is no sovereignty either in the General Government or the State governments. These are permitted to exercise certain sovereign powers so long only as it shall suit the sovereign will that they shall do so and no longer. Sovereignty itself, from which emanates all political power, I repeat, remains and ever resides with the people somewhere. And with what people? People who delegated whatever powers the General Government has ever been intrusted with; that is, the people of the several States; not the whole people of the United States as one mass, as can be most conclusively demonstrated.

The people of the various American colonies became separate, sovereign peoples when each of them renounced the authority of Great Britain. They were merely confirming this action when each of them instructed their delegates in the Continental Congress to join in a declaration of independence. In *Ware v. Hylton* (3 Dallas, 199) Justice Chase said:

In June, 1776, the convention of Virginia was a free, sovereign, and independent State; and on the 4th of July, 1776, following, the United States in Congress assembled declared the thirteen United Colonies free and independent States, and that as such they had full power to levy war, conclude peace, etc. I consider this as a declaration, not that the United Colonies jointly, in a collective capacity, were independent States, etc., but that each of them was a sovereign and independent State; that is, that each of them had a right to govern itself by its own authority and its own laws without any control from any other power on earth.

Chief Justice Marshall said, in *Gibbons against Ogden*, of the States prior to the Constitution:

It has been said that they were sovereign, were completely independent, and were connected with each other only by a league. This is true.

Under the confederation, the first form of collective government adopted by the peoples of the States, they retained their separate freedom, independence, and sovereignty, and no change could be made in the confederation without the consent of each of the States. When the peoples of these sovereign States adopted the present Constitution they decided that three-fourths of their number should make any future amendments except as to equal representation in the Senate. They decided that one or a few States not exceeding one-fourth should yield their will to the will of the remainder. In doing this they no more modified their ultimate sovereignty than a citizen of a State would modify his freedom by agreeing to abide by the will of the majority. Those who oppose the submission of the prohibition amendment are refusing the creative powers of the Republic, the peoples of the sovereign States acting through their legislatures, an opportunity to discharge their proper and historic functions.

John W. Burgess, author of one of our most important and most philosophical textbooks on political science and comparative constitutional law, has this to say regarding the amending power in a constitution:

A complete constitution may be said to consist of three fundamental parts. The first is the organization of the State for the accomplishment of future changes in the constitution. This is usually called the amending clause, and the power which it describes and regulates is called the amending power. This is the most important part of a constitution. Upon its existence and truthfulness, i. e., its correspondence with real and natural conditions, depends the question as to whether the State shall develop with peaceable continuity or shall suffer alternatives of stagnation, retrogression, and revolution.

The other fundamental part of a complete constitution Mr. Burgess denominates the "constitution of liberty" and the "constitution of government."

I wish now to direct attention to another fact. Not only will he who votes against the submission of this amendment keep the peoples of the States, acting through legislatures or conventions, from exercising their fundamental prerogative of deciding what is national and what local, but he will also deny the right of petition to millions of his fellow citizens. Seventy per cent of the territory of this country is already under prohibitory law and over 50 per cent of the American people live in this prohibition territory. A committee of more than 2,000 men and women from every section of the Republic, representing through their various organizations probably 20,000,000 of people, marched to the steps of this Capitol on a freezing day in last December and presented to Representative Hobson for the House and myself for the Senate their request that Congress give the American people a chance to expel the liquor traffic from the country. In the face of a biting December

gale, despite sunless skies and the penetrating cold, they came, the joy of a righteous movement in their souls, the cry for a clean United States on their lips. It was the most radiant and inspiring sight my eyes have ever seen. There was no selfish purpose; hundreds and thousands of miles they had traveled at their own expense and at great personal sacrifice to demonstrate the power of a moral impulse. And I tell you that I would rather have been chosen by that band of consecrated men and women to present this prohibition amendment than to hold any office in this Republic.

It is safe to say that the 20,000,000 people represented by that wonderful committee are joined by 30,000,000 or 40,000,000 more in the determination that the liquor traffic shall not be tolerated on a single inch of American soil. It is not an exaggeration to say that a majority of the American people would vote today for a saloonless land and a stainless flag. Millions of antiprohibitionists who have opposed us in the States and counties on the ground that liquor could at all times be obtained from adjacent territory would vote for nation-wide prohibition. The Webb law is good, but it is based on the theory of the existence of the liquor traffic in parts of the country. It was only a step in the crusade for the traffic's final elimination. The antiprohibitionist who supported the Webb law in the hope that its passage would stop the movement for nation-wide prohibition was tremendously short-sighted. The movement can not stop, because it is grounded in the aspiration of the American people for purity in government, for righteousness in law. It can not stop until the liquor traffic or this aspiration dies. It is a conflict as irrepressible as the conflict over slavery. As long as the traffic in intoxicating liquors exists in any State it will be a challenge and an affront to the moral sense of the American people.

I repeat, that a vote against submission is a denial of the right of petition to millions of the American people. After all, the power of Congress in relation to this amendment is only a proposing power. The Constitution says that Congress whenever two-thirds of both Houses shall deem it necessary shall propose amendments, and so forth; that is, whenever two-thirds of both Houses deem proposal necessary. The proposing power requires only a two-thirds vote in each House, a vote which may be cast in the other House by representatives of only 17 States, while the enacting power requires three-fourths of the States. If Congress were considered a part of the adopting power the integrity of the States would be destroyed in the other House, because less than half the States might cast the necessary two-thirds vote there, and the smaller States would be at the mercy of the larger, in so far as the other House might be concerned. The final tribunal is composed of the States expressing their will by a vote of three-fourths thereof. The man who resists submission stands between more than 50,000,000 American people and the constituent powers of the Republic, the only authority that can furnish redress for this terrific grievance.

In the Confederate constitution the amending power was vested in two-thirds of the States, except as to equal representation in the Senate, and the Confederate Congress was not allowed to refuse submission. The Confederate Congress was required by the Confederate constitution to call a convention of all the States at the demand of any three States, to consider such amendments as the three States might suggest. If a majority of the States in the convention thus called, voting equally as States, agreed to a proposed amendment, it was then submitted to the State legislatures, two-thirds of which could adopt the amendment and make it a part of the Confederate constitution. The Confederate constitution was amendable against the consent of a third of the States, while the Constitution of the original Union is amendable only against that of a fourth of the States. The Confederate constitution went further in the matter of amendments against the will of individual States than the Federal Constitution. This is but another contradiction of the assertion that the right of a single State to be exempt from changes in the Federal Constitution to which it might not consent is a characteristic southern doctrine. It is also an illustration of the fact that the Confederacy regarded the submitting power of its Congress as a mere ministerial function.

The first resolution for the submission of a prohibition amendment to the Federal Constitution was introduced in Congress by Representative (later Senator) Blair, of New Hampshire, on December 27, 1876, nearly 40 years ago. It was introduced by him in each succeeding Congress while he was in public life, and he has thereby earned the admiration of posterity. It was favorably reported by the Committee on Education and Labor of the Senate, after he was elevated to that body, in the Forty-ninth, Fiftieth, and Fifty-first Congresses. While studying the unanimous and favorable report made by this committee on the prohibition amendment in the Fifty-first Congress I was struck by the fact that its members deemed it the duty of Congress to

submit the resolution to the States regardless of their personal views as to the merit of the proposed amendment. After giving the view of those members of the committee who favored the addition of the amendment to the Constitution, the report said:

Your committee, whether unanimous or otherwise, in the holding to this view, are of the opinion that the resolution should be favorably reported, and should be submitted by Congress to the action of the States for another reason; it being a fact that a very large proportion of the American people are anxious that the National Constitution be amended in accordance with the resolutions, we believe that they have a right to be heard in the forum of the State legislatures, where alone the question can be decided whether the National Constitution can be amended.

I knew that the ranking Democrat on this committee was George, of Mississippi; I knew that he was among the very ablest men the South had ever sent to Washington; that his devotion to southern traditions and State rights could not be questioned. To make doubly sure of his position, I addressed a letter to Senator Blair and asked him specifically regarding George's attitude toward the nation-wide prohibition amendment. He favored me with an illuminating reply, which I now give:

COLORADO BUILDING,
Washington, D. C., November 16, 1914.

HON. MORRIS SHEPPARD,
United States Senate, Washington, D. C.

MY DEAR SIR: Your letter of recent date, referring to resolution for national prohibition, introduced by me in the Forty-fourth Congress, and in each Congress following while I was in public life, and specially inquiring as to the position of Senator George, of Mississippi, upon the question of the submission by Congress of a joint resolution to the legislatures of the States with a view to the ratification or otherwise of said resolution as a part of the Constitution of the United States, was duly received. Said resolution is found in Senate Report No. 1584, of the Fifty-first Congress, first session, where it was unanimously and favorably reported by the Committee on Education and Labor, of which I was chairman. Senator George, of Mississippi, had long been a leading member of said committee, taking great interest in all measures coming before it, including the one in question. I did not understand that he was committed to the ratification of the amendment as a part of the Constitution, but he was, with the rest of the committee, of the opinion that it should be submitted to the legislatures of the States for action for the reasons set forth in the report, an extract of which is herewith incorporated.

You will observe that the report, which is dated August 13, 1890, sets forth the views of those who favored the ratification of the resolution, closing the brief review of arguments in support of their views with these words at the end of the fourth page: "Such is the line of argument, briefly stated, of those who believe that this joint resolution should be made a part of the Constitution." It then proceeds to state the reasons for the "unanimous" recommendation that the resolution be favorably reported and submitted by Congress to the action of the States through their legislatures:

"Your committee, whether unanimous or otherwise, in the holding to this view, are of the opinion that the resolution should be favorably reported, and should be submitted by Congress to the action of the States for another reason; it being a fact that a very large proportion of the American people are anxious that the National Constitution be amended in accordance with the resolution, we believe that they have a right to be heard in the forum of the State legislatures, where alone the question can be decided whether the National Constitution shall be amended. That Constitution points out definitely the manner in which a change in its provisions may be effected. The Constitution of the country must be amended from time to time to correspond with the evolution of the Nation itself, for it is impossible to fetter the growth of the Nation in any direction. It will grow, peacefully or otherwise. The Constitution must yield here and there, corresponding to the necessities of the times and of the people, and the necessary changes be peacefully made, in accordance with the methods of amendment pointed out in the Constitution itself, or revolution and bloodshed will perform their work. The Constitution and the spirit of the age must be one. Whenever any considerable and respectable portion of the American people (and no considerable number can fail to be respectable) desire changes in the fundamental law, and ask respectful consideration of their propositions by the Nation at large, we hold it to be the duty of the Congress to give them a status in the court provided by the Constitution for its own amendment.

They have a right that their contention be placed in proper form before the local legislatures and the people before they have demonstrated that they are able to secure its ratification by three-fourths of the States. That ratification, if it comes at all, will come as a result of agitation and discussion of the very proposition which they ask to have submitted. The true question for Congress to consider is not whether three-fourths of the States will ratify, after discussion and agitation, but whether the subject concerns the public welfare, and whether those who desire the submission of the resolution be of sufficient number to relieve the proceeding from the charge of triviality and inconsequence. Deciding upon grounds like these, your committee are impressed by the overwhelming importance of the subject to the Nation and to the world, and by the vast number, not to say the majority, of the moral and intellectual forces of the country, which demand the submission of this joint resolution to the consideration of the States. We therefore report it favorably and recommend its passage."

There was a majority report in favor of the resolution, Senate Report 15631, first session, Forty-ninth Congress, and a unanimous report in favor of submission to the legislatures of the States for action upon the question of ratification, Senate Report 1727, first session, Fiftyth Congress, but in the latter there is an ambiguity which is entirely removed in the report of the committee in the Fifty-first Congress, which is cited above.

The committee was unanimous in recommending the submission of the joint resolution to the legislatures of the States for action upon the question of ratification as a part of the Constitution.

The Committee on Education and Labor in the Fiftyth Congress consisted of Blair (chairman), Bowen, Palmer, Wilson, George, Call, Pugh, Payne, Sawyer (excused), and Riddleberger, appointed February 16, 1888.

Fifty-first Congress, first session: Blair, Wilson of Iowa, Stanford, Stewart, Washburn, George, Pugh, Payne, and Barbour.

You inquired specially for the position of Senator George, of Mississippi, and I have substantially answered above. He was a member of the committee (Education and Labor) for about 10 years, and we were closely associated as friends and in the work of the committee. He favored the submission of the resolution to the legislatures of the States, as, in fact, did the whole committee in the last report ever made on the subject. It was at no time debated in the Senate. I moved for its consideration the day before the close of a session, but the pressure of business and the fact that extended debate was unavoidable defeated the effort. The members of the committee did not consider that by recommending submission to the legislatures they were pledging themselves to favor ratification by the legislatures of the States. I think both Senators George and Pugh had no superiors as lawyers or statesmen in the Senate at that time.

Truly, yours,

HENRY W. BLAIR.

Mr. President, if Democrats like George, of Mississippi; Pugh, of Alabama; Payne, of Ohio; and Barbour, of Virginia, believed that the people desirous of having the prohibition amendment submitted were of such number and such respectability that they had a right to expect Congress to submit it, and were willing so to vote regardless of their individual views a quarter of a century ago, ought Democrats of the present, whether pro or anti individually, to hesitate when the proportionate strength of the elements desiring submission is so much greater now than then?

In the report in the Fiftyth Congress the Committee on Education and Labor uses this language:

The method provided in the Constitution for its own peaceful amendment would be destroyed by failure to submit the proposition for amendment in cases of great moment involving the approval and prayers of multitudes of the people, for where the remedy sought is admitted to be without the jurisdiction of the fundamental law the petition is really addressed to the only tribunal which can enlarge that jurisdiction; that is to say, to the States themselves. Should, then, Congress in such case refuse to submit the proposal to the States, such refusal would constitute a substantial denial of the right of petition itself.

Although the decision as to the merit of this amendment belongs fundamentally to the States, let us examine it briefly. They tell us that the liquor traffic is a local problem, a home affair. Experts have figured that the present European war will destroy seventy billions of wealth. The drink bill of the United States is now about two and a half billions every year. In one brief generation the liquor traffic will waste as much wealth in this country as the most terrible and extensive war of history will consume. In addition, the human wreckage of the liquor traffic will far exceed the toll of war. The records show that the annual consumption of intoxicating drink in the United States equals 23 gallons for every individual. Add to these things the fact that alcohol is the principal source of crime, disease, immorality, hereditary deformities, both mental and physical, insanity, inefficiency, poverty, and it will be seen that the very life of this Nation is imperiled. Mr. President, the Member of Congress who claims that the overthrow of the liquor traffic by the united action of State and Nation as contemplated in this amendment so violates the underlying principles of the Republic that he will refuse by his vote to permit the people to consider and determine the matter for themselves will undoubtedly have trouble in explaining such a position to his constituents. The liquor problem is essentially a national one, and every unit of government must be directed against it.

But they say that national prohibition will mean the overrunning of the State by a swarm of Federal officials. When these officials swarm into the States to attack the cattle tick or the boll weevil or the foot-and-mouth disease, it is all right; but it is a sacrilege, a destruction of all the State holds dear, if they interfere with the saloon. So far as I am concerned, they can not send too big an army against the liquor traffic to suit me, and I do not care whether it is Federal or State, or both.

The States, acting together, formed this Nation for the specific purpose of cooperating for the common good. If they can not cooperate through the regular channel of an amendment to the Federal Constitution for the purpose of abolishing an evil like the liquor traffic, they had as well dissolve the Union and each return to a separate government of its own.

Let me say here that the traffic is so firmly entrenched in some States that they will never be able to destroy it by their own unsupported action. Therefore a vote against the national amendment is a vote for the traffic's perpetuation. From its strongholds in a few States it will debauch the rest, despite all interstate restrictions, desirable as they are, in the absence of complete prohibition. Aside from this, the Nation—that is, three-fourths of the States acting in their organic capacity as the creative power of the Constitution—should have as much right to guarantee the people of a State against this traffic in human hearts, in human virtue, in human blood, as it has to guarantee them a republican form of State government. The latter right is already provided for in the Constitution.

The amendment in question reads as follows:

Whereas exact scientific research has demonstrated that alcohol is a narcotic poison, destructive and degenerating to the human organism, and that its distribution as a beverage or contained in foods lays a staggering economic burden upon the shoulders of the people, lowers to an appalling degree the average standard of character of our citizenship, thereby undermining the public morals and the foundation of free institutions, produces widespread crime, pauperism, and insanity, inflicts disease and untimely death upon hundreds of thousands of citizens, and blights with degeneracy their children unborn, threatening the future integrity and the very life of the Nation: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring), That the following amendment of the Constitution be, and hereby is, proposed to the States, to become valid as a part of the Constitution when ratified by the legislatures of the several States, as provided by the Constitution:

"ARTICLE —.

"SECTION 1. The sale, manufacture for sale, transportation for sale, importation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof, and exportation for sale therefrom, are forever prohibited.

"SEC. 2. The Congress or the States within their respective jurisdictions shall have power to enforce this article by all needful legislation."

It will be seen that it deprives both Federal and State Governments of the power to authorize the liquor traffic. It delegates to both Federal and State Governments the power to prohibit the traffic within their respective jurisdictions. How misleading the statement that it turns over to the Federal Government the entire machinery of control and eradication! The Federal Government exercises, through the taxing power, a control over the liquor traffic to-day superior to that of the States, except in the case of absolute prohibition. Neither the sale nor the manufacture of alcoholic liquor may be undertaken in any State in the Union without Federal authority. The Federal Government maintains a rigid supervision over the making of alcoholic liquors from the still to the saloon, and with this supervision no State government and no State official may interfere. When the State of South Carolina entered the dispensary business her officials had to pay a tax to the Federal Government. The amendment now pending preserves to the States the only exclusive right they now have with reference to the liquor traffic—the right of prohibition.

But they say that concurrent jurisdiction by the Federal and States Governments will lead to confusion and friction. The answer is that a sufficient number of States to adopt the amendment means a sufficient prohibition strength in the States and in Congress to avoid all conflict and confusion of jurisdiction.

They say that the prohibition question should be kept out of national politics, that it will interfere with the proper settlement of other issues. If they believe this, let them vote to submit this amendment to the States, and the question will be out of Congress and national campaigns for at least a decade. Prohibitionists will then center their efforts on the various States. The surest way to keep this question in national politics is to defeat this amendment.

The disposition of this prohibition amendment is the most solemn duty that has confronted Congress since the death of slavery. It will determine whether this Nation is capable of invoking its constituent powers to consider an evil which at least half the population believes to mean the Nation's ruin, and to make what constitutional changes they may deem proper for its extermination. It will determine whether the moral forces of the Nation are the dominant ones. It will determine whether this is a Christian Nation. We need not deceive ourselves. The issue is plain. A Christian nation can not tolerate the liquor traffic. We must array ourselves for a higher civilization or a lower one. We must stand for the American home or for the American saloon. We must stand for efficiency or for waste, for purity or for pollution. If this amendment should be rejected, there will be shouts of triumph in every brothel, in every brewery, in every distillery, and every grog shop from the St. Lawrence to the Rio Grande, from sea to sea.

O gentlemen, before you take your stand on the side of these infernos, may you think of the mothers that are praying for a liquorless Republic, of the women this traffic has widowed, the children it has made fatherless, the manhood it has wrecked, the virtue it has damned—of the maniacs it has produced, of the misery of men once strong and proud.

CIVIL WAR VOLUNTEER OFFICERS' RETIRED LIST.

Mr. SMITH of South Carolina. Mr. President, it being just a few minutes before the time at which the unfinished business will automatically come before the Senate, and as the bill that was voted to be considered can not be disposed of, I ask that the unfinished business may be laid before the Senate.

Mr. TOWNSEND. Mr. President—

The PRESIDING OFFICER. The Chair is impressed with the belief that such action would be impossible. The Senate has already determined to consider another bill.

Mr. VARDAMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll. The Secretary called the roll, and the following Senators answered to their names:

Borah	Hardwick	O'Gorman	Smith, Md.
Brandagee	Hitchcock	Oliver	Smith, S. C.
Bristow	Hughes	Overman	Smoot
Bryan	James	Page	Sterling
Catron	Johnson	Perkins	Stone
Chamberlain	Jones	Pittman	Swanson
Chilton	Kern	Polindexter	Thomas
Clapp	La Follette	Reed	Thornton
Clark, Wyo.	Lane	Robinson	Townsend
Crawford	Lea, Tenn.	Saulsbury	Vardaman
Cummins	Lewis	Shafroth	Walsh
Dillingham	Lippitt	Sheppard	Warren
du Pont	McCumber	Sherman	White
Gallinger	Martine, N. J.	Shields	Works
Gore	Nelson	Shively	
Gronna	Norris	Smith, Ariz.	

The PRESIDING OFFICER. Sixty-two Senators have responded to their names. A quorum of the Senate is present.

REGULATION OF IMMIGRATION.

Mr. SMITH of South Carolina. Mr. President, in view of the fact that the roll has just been called, I propose the unanimous-consent agreement which I send to the desk.

The PRESIDING OFFICER. The Secretary will read the proposed unanimous-consent agreement.

The Secretary read as follows:

It is agreed by unanimous consent that on Saturday, December 19, 1914, immediately upon the conclusion of the routine morning business, the Senate will proceed to the consideration of the bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States, and that at not later than 2 o'clock p. m. on that day the Senate will proceed, without further debate, to vote upon any amendment that may be pending, any amendments that may be offered, and upon the bill—through the regular parliamentary stages—to its final disposition.

The PRESIDING OFFICER. Is there objection?

Mr. O'GORMAN. Mr. President, I very reluctantly object to the proposed agreement.

The PRESIDING OFFICER. Objection is made.

CIVIL WAR VOLUNTEER OFFICERS' RETIRED LIST.

Mr. TOWNSEND. Mr. President, we have just witnessed a spectacle which people not familiar with the ways of the Senate must regard at least as peculiar. The Senate deliberately votes to proceed to the consideration of a bill, but it appears that under the rules of the Senate that action must give way in order that a speech may be made by a Senator on a matter not at all related to the bill which the Senate has voted to consider.

I have felt and still feel that a majority of the Senate has a right to be heard upon a measure which is before the Senate. I realize that many of the friends of this bill hesitate to set aside what has been fixed as the regular order, namely, the immigration bill, in order to consider this bill for a sufficient time to dispose of it. They are fearful that such a vote might be construed as opposition to the immigration measure. I think, however, it is an open secret to everybody here that there is a disposition to prevent a vote on the immigration bill but that it is to stand here as a buffer against the consideration of measures which a few Senators do not desire to pass upon. I dislike very much to put before the Senate a matter which will compel conscientious Senators to vote to put aside the immigration bill when they want to see it passed, but I also feel that inasmuch as this program is before the Senate, a program of obstruction and delay, it is entirely proper to insist, so far as I can insist, upon considering the rights of those volunteer officers of the Civil War, who did not remain in the Regular Army, but who did more to preserve the Union than all the Regular Army officers who have worn the uniform since 1861.

Mr. SMITH of South Carolina. Mr. President, I should like to say a word about one statement the Senator made—that there is a disposition to sidetrack or not to consider the measure in which the Senator from Michigan is interested, and that there is a disposition not to allow the immigration bill to come to a vote. I have not been advised of any such disposition. There is opposition to the immigration bill, but I do not think any Senator on this floor has indicated any intention to use any method by which a vote will not be had, for I am rather of opinion that we will have a vote on the question. It has been pending so long and has now reached such a stage that I think the best way to expedite business and to get to a consideration of the bill that the Senator has before us is to allow the immigration bill to be gotten out of the way as speedily as possible.

Mr. TOWNSEND. Mr. President, as I was saying, it is an open secret that a program is before the Senate and that it does not include the passage of the immigration bill, if it can be prevented.

Mr. SMITH of South Carolina. I am not aware of that.

Mr. TOWNSEND. It really does not include the passage of any measure outside of the appropriation bills.

I am going to try, Mr. President, to-morrow morning and every morning until I succeed in getting a fair consideration of this bill which is now before the Senate to a vote during the morning hour. I shall do this if I can be assured that the majority of the Senate will support me in such efforts. If I fail in that, I am going to give the Senate an opportunity when the regular order is called up to supplant it with this measure until the latter is disposed of. If Senators are justified in preventing the execution of the clear and formally expressed will of the Senate by indirection and dilatory tactics, they surely can not consistently condemn me if I turn their own guns against them.

The PRESIDING OFFICER (Mr. GRONNA in the chair). The morning hour having expired, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States.

STANDING COMMITTEES OF THE SENATE.

Mr. JONES. Mr. President, I have given notice two or three times that I would address the Senate on Senate resolution 398 and Senate joint resolution 163. I have given way for various reasons, and satisfactory ones. I am heartily in favor of this immigration bill, and I do not want to do anything that will delay it. So I am not going to take the time at this hour to discuss the resolutions I have offered; but if I see that a lengthy discussion is likely to go on in connection with the immigration bill to-morrow, I shall take the first opportunity to-morrow to address myself to these resolutions.

I find that most Senators have not examined the resolutions and do not know what is in them, and I ask that they may be printed in the RECORD. It is possible that some Senators will take a little time to look over them. I think they will see at a glance just what is proposed to be done by them, and I think practically every Senator will be in favor of doing something at least along the lines suggested.

With this statement I ask that Senate resolution 398 and Senate joint resolution 163 be printed in the RECORD.

The PRESIDING OFFICER. Is there objection to printing the resolutions in the RECORD? The Chair hears none, and it is so ordered.

Senate resolution 398, submitted by Mr. JONES June 18, 1914, and referred to the Committee on Rules, is as follows:

Resolution.

Resolved, That, beginning with the Sixty-fourth Congress, Rule XXV of the standing rules of the Senate be amended to read as follows: "RULE XXV. The following standing committees shall be appointed at the commencement of each Congress, with leave to report by bill or otherwise:

"COMMITTEES OF THE FIRST CLASS.

- "A Committee on Appropriations.
- "A Committee on Commerce.
- "A Committee on the District of Columbia.
- "A Committee on Finance.
- "A Committee on Foreign Relations.
- "A Committee on Interstate Commerce.
- "A Committee on the Judiciary.
- "A Committee on Banking and Currency.
- "A Committee on Public Lands.

"The foregoing committees shall consist of not to exceed 11 members each and shall be so constituted that each Member of the Senate shall be a member of one of said committees and no more.

"COMMITTEES OF THE SECOND CLASS.

- "A Committee on Agriculture and Forestry.
- "A Committee on Rules.
- "A Committee on the Census.
- "A Committee on Civil Service and Retrenchment.
- "A Committee on Claims.
- "A Committee on Education and Labor.
- "A Committee on Insular Affairs.
- "A Committee on Immigration.
- "A Committee on Military Affairs.
- "A Committee on Naval Affairs.
- "A Committee on Pensions.
- "A Committee on Post Offices and Post Roads.

"A Committee on Printing, which shall have power to act jointly with the same committee of the House of Representatives.

"A Committee on Engrossed and Enrolled Bills, which shall have power to act jointly with a similar committee or committees of the House of Representatives, and which, or some member of which, shall examine all bills or joint resolutions which shall have passed the Senate or both Houses to see that the same are correctly engrossed or enrolled, and, when signed by the Speaker of the House and the President of the Senate, shall present the same forthwith, when they shall have originated in the Senate, to the President of the United States in person and report the fact and date of such presentation to the Senate.

"A Committee on Public Buildings and Grounds, which shall have power to act jointly with a similar committee of the House of Representatives.

"A Committee to Audit and Control the Contingent Expenses of the Senate, to which shall be referred all resolutions directing the payment of money out of the contingent fund of the Senate or creating a charge upon the same.

"The foregoing committees of the second class shall consist of not to exceed 13 Members, and no Senator shall be placed upon more than two of said committees at the same time.

"Sec. 2. That the aforesaid committees shall continue and have the power to act until their successors are appointed."

Joint resolution (S. J. Res. 163) providing for employees to Senators and Senate committees and fixing their compensation, commencing with the beginning of the Sixty-fourth Congress, introduced by Mr. JONES June 18, 1914, and referred to the Committee on Rules, is as follows:

Resolved, etc., That, commencing with the beginning of the Sixty-fourth Congress, each chairman of a first-class committee shall have a secretary, who shall receive an annual salary of \$2,750, and who shall also act as clerk of his committee, an assistant secretary, who shall receive an annual salary of \$2,000, and who shall also act as assistant clerk to his committee, and, during the sessions of the Senate, a stenographer, to be paid at the rate of \$1,440 per annum, and a messenger, to be paid at the rate of \$1,200 per annum; each chairman of a second-class committee shall have a secretary, who shall receive an annual salary of \$2,500, and who shall act as clerk of his committee, an assistant secretary, who shall receive an annual salary of \$1,800, and who shall also act as assistant clerk of his committee, and, during the sessions of the Senate, a stenographer, to be paid at the rate of \$1,440 per annum, and a messenger, to be paid at the rate of \$1,200 per annum; and each Senator not the chairman of a committee shall have a secretary, who shall receive an annual salary of \$2,250, an assistant secretary, who shall receive an annual salary of \$1,500, and, during the sessions of the Senate, a stenographer, who shall be paid at the rate of \$1,440 per annum, and any additional assistance that may be necessary in connection with committee or official senatorial work while the Senate is in session shall be paid out of the contingent fund of the Senate only after due provision has been made therefor by appropriate resolution.

REGULATION OF IMMIGRATION.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States.

The PRESIDING OFFICER. The pending question is on the amendment offered by the Senator from Colorado [Mr. THOMAS]. The Secretary will state the amendment.

The SECRETARY. On page 9, lines 6 to 12, in lieu of the House text reading as follows:

That the following classes of persons shall be exempt from the operation of the illiteracy test, to wit: All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they emigrated from the country of which they were last permanent residents solely for the purpose of escaping from religious persecution.

Substitute the following:

That the following classes of persons shall be exempt from the operation of the illiteracy test, to wit: All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they are seeking admission to the United States to avoid religious or political persecution, whether such persecution be evidenced by overt acts or by discriminatory laws or regulations.

Mr. O'GORMAN. Mr. President, I wish to add an amendment to the amendment the Senator from Colorado offers by inserting the word "racial" before the word "religious" in line 1, page 2. I think this meets some views to which attention was called a few days ago by the senior Senator from Missouri [Mr. STONE].

The PRESIDING OFFICER. The proposed amendment to the amendment will be stated.

The SECRETARY. On page 2, line 1, before the word "religious," insert the word "racial" and a comma, so as to read:

All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they are seeking admission to the United States to avoid racial, religious, or political persecution, whether such persecution be evidenced by overt acts or by discriminatory laws or regulations.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the amendment.

Mr. STONE. I will ask the Senator from New York where he wishes to insert the word "racial."

Mr. O'GORMAN. After the word "religious," in line 1, page 2, of the amendment which was proposed yesterday by the senior Senator from Colorado [Mr. THOMAS].

Mr. THOMAS. Mr. President—

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Colorado?

Mr. O'GORMAN. I do.

Mr. THOMAS. I merely wish to say that, so far as the amendment to the amendment just read from the desk is concerned, I am willing to accept it.

Mr. STONE. The amendment offered by the Senator from Colorado has been printed. I had prepared an amendment that I purposed to offer, but I have mislaid it somewhere. However, I think I can state it. I ask the attention of the Senator from New York to take the amendment proposed by the Senator from Colorado.

Mr. O'GORMAN. I have it before me. It was that amendment that I proposed to modify a moment ago by inserting the word "racial," before the word "religious," on the second page, line 1.

Mr. STONE. That is all right from my point of view, except I had in the amendment I prepared inserted the word "racial" after the word "religious," for the reason that the word "religious" is in the text of the bill, and the word "political" is added to it by the amendment of the Senator from Colorado. This is to be an amendment to his amendment.

Mr. O'GORMAN. If the Senator prefers to have it that way, I have no objection.

Mr. STONE. Then, Mr. President, on line 1, page 2, of the amendment proposed by the Senator from Colorado [Mr. THOMAS], after the word "religious," I move to insert a comma and to strike out the word "or," and after the word "political" to insert a comma and the words "or racial," so that it would read, "to avoid religious, political, or racial persecution." Upon that I ask the judgment of the Senator from New York.

Mr. O'GORMAN. That is quite acceptable to me, and I think I am authorized to say that it would be acceptable to the Senator from Colorado [Mr. THOMAS], who proposed the original amendment.

Mr. STONE. I am sure of that. I was about to suggest an additional amendment to the amendment, which I had prepared and thought I had on my desk.

Mr. O'GORMAN. I ask unanimous consent that the pending amendment be passed over for the present until the Senator from Missouri can secure his amendment.

Mr. STONE. I think I can state it. After the word "persons," in line 9, page 1, I would insert these words following a comma:

Who are not otherwise inadmissible under the statutes of the United States.

Mr. O'GORMAN. I have only to suggest in reference to that proposal of the Senator from Missouri that it seems to be wholly unnecessary, for this reason: It will be observed that the amendment only provides for certain persons concerning whom the illiteracy test will not be applicable, and the entire effect of the adoption of the amendment is to indicate that certain aliens shall be immune from the illiteracy test, but not from any other provision of the immigration law, because the language, if the Senator will pardon me, reads:

That the following classes of persons shall be exempt from the operation of the illiteracy test, to wit:

That is the sole effect of the adoption of the amendment.

Mr. SMITH of South Carolina. May I ask the Senator from New York a question?

Mr. O'GORMAN. Certainly.

Mr. SMITH of South Carolina. Does the Senator propose to remove by his amendment all the restrictions of the bill?

Mr. O'GORMAN. Oh, no. I have distinctly stated that in my judgment the adoption of this amendment as modified will only relieve certain classes of aliens from the illiteracy test, but they will be still subject to every other provision of the bill.

Mr. SMITH of South Carolina. May I call the attention of the Senator from Missouri to the proviso, beginning in line 21, on the same page, as modifying the illiteracy test? It reads:

That nothing in this act shall exclude, if otherwise admissible, persons convicted of an offense purely political, not involving moral turpitude.

I would take it that the term "convicted of" would include those who were convicted for purely political reasons. Just the other day we had that language modified by striking out the words "or legally charged with."

Mr. O'GORMAN. On what page is that?

Mr. SMITH of South Carolina. On page 9.

Mr. O'GORMAN. What line?

Mr. SMITH of South Carolina. Line 21. The proviso begins in line 21:

Provided, That nothing in this act shall exclude, if otherwise admissible, persons convicted of an offense purely political, not involving moral turpitude.

Mr. STONE. Then he would have to be convicted?

Mr. O'GORMAN. He would have to be convicted.

Mr. LEWIS. May I be permitted to say to the Senator from South Carolina and remind the Senator from Missouri and the Senator from New York that that very question came up here. The Senator from New York [Mr. O'GORMAN] and the Senator from Oregon [Mr. CHAMBERLAIN] urged an objection to what was then a pending treaty between Great Britain and this country respecting the settlement of certain grievances by arbitration. As the Senator from South Carolina will recall, the Senator from New York and the Senator from Oregon made the objection to certain features of that treaty, it declaring,

among other things, that one of the things that would have been the subject of arbitration was our permitting a man to come into this country who had been convicted or denying admission to a man who had been convicted of some offense purely political. So we had the question, Shall a man be permitted to come into this country after he has been charged, tried, and convicted? Suppose he was fleeing persecution because of fear of an arrest for an offense purely political, that he had not been arrested but was seeking exemption and immunity from the injustice of a trial, persecution, and conviction, ought he then to be kept out? Would not the words "legally convicted" limit it to them who first have been arrested, tried, and convicted? In the meantime, if he was charged, pursued, and persecuted, still he could not come in because the exemption is limited to one who had been first submitted to trial and afterwards submitted to accusation and then full conviction.

The able Senator from South Carolina will recall that we had that discussion here and the objection of the Senator from New York and the Senator from Oregon so prevailed that subsequent forms of an amendment were submitted at that time to the Government of Great Britain, as I recall.

Mr. O'GORMAN. That is substantially correct. All these provisions are presumed to bear upon the question as to whether the character of an alien is sufficient to warrant his being permitted to come into this country. Attention was called to the fact that in all the courts of the land a man's character is never impaired merely because he has been indicted, or because some accusation is made against him. His character is only affected if he be convicted. Several days ago the Senate concluded to strike out the amendment offered by the committee, which will be found on page 9, line 23, in the words "or legally charged with." That was stricken out of the bill.

Mr. STONE. The word "convicted" remains.

Mr. O'GORMAN. The word "convicted" remains. In other words, it is provided that nothing contained in the bill shall exclude a person otherwise admissible simply because he has been convicted of an offense purely political and not involving moral turpitude.

Mr. STONE. Yes; but I understand the purpose of the bill to be—and that is clearly the import of the language employed in the bill—to admit those who are otherwise qualified for admission.

Mr. LEWIS. Notwithstanding conviction.

Mr. STONE. Persons who have been convicted. The limitation is that the immigrant must have been convicted of an offense purely political, not involving moral turpitude.

Mr. SMITH of South Carolina. But the Senator from Missouri will see at a glance that this is going even farther than his proposed amendment, in that he will admit a man who has been convicted for a purely political offense. The inference is that if he comes here and is otherwise admissible, we will not turn him back on account of political persecution.

Mr. O'GORMAN. Does the Senator from South Carolina suggest that there is any inconsistency in the pending amendment with the provision of the bill on page 9, lines 22, 23, and 24? As I look upon it, they are quite in harmony, and there is no inconsistency whatever. We are now dealing with an entirely different subject. We say in substance that whenever because of racial, religious, or political persecution an alien knocks at our doors we will admit him even though he may not be able to respond to this educational test, which we are for the first time in the history of our country attempting to engraft upon our legislation.

Mr. SMITH of South Carolina. The Senator will observe that the bill provides "that nothing in this act shall exclude, if otherwise admissible, persons convicted of an offense purely political, not involving moral turpitude," and that that does not exempt them from the operation of the literacy test.

Mr. STONE. No; that does not exempt them from it.

Mr. SMITH of South Carolina. But your amendment does exempt them from the literacy test.

Mr. O'GORMAN. Because that covers a different condition.

Mr. SMITH of South Carolina. The Senator will see at a glance that if you waive the literacy test on the ground that the immigrant is coming for political reasons we then open our doors to the very class the admission of which the Senator from New York himself will not stand on this floor and defend.

Mr. STONE. Let me ask the Senator from South Carolina does he not draw a very clear line of distinction between the cases that should be covered by the pending amendment and the cases that would be covered by the proviso beginning on line 21, page 9, of the bill? The bill in other parts of it would exclude the criminal classes, and there could be no better evidence that a man was a criminal than the record of a court showing his conviction of crime. I can easily conceive, and the

Senator can, that an immigrant who asks admission might be confronted with a record showing that he has been convicted of a crime under the laws of the country from which he comes. The proviso already in the bill to which I have adverted is intended to meet that case, so that if the immigrant is confronted with such a record and yet is able to show that the crime for which he was convicted was a purely political offense, involving no moral turpitude, he would come in under that proviso.

The amendment which the Senator from New York is pressing, which was presented by the Senator from Colorado, as remarked by the Senator from New York, covers a somewhat different field and may be said to be broader. This would admit persons who are fleeing from their native land because of political or racial persecution, even though they have not been formally arraigned and convicted of an offense. In other words, you put political and racial persecution upon an exact level with religious persecution.

Mr. SMITH of South Carolina. Let me ask the Senator from Missouri this question: In certain countries suppose there were individuals who were being hunted who had not been arraigned and tried or convicted. There are certain anarchists who as earnestly believe in their faith as the Senator and I believe in established law. They come to this country, and they say, "We are being persecuted for purely political reasons."

Mr. STONE. Yes; and for that very reason I had in the amendment which I prepared—I proposed to insert the words—

Mr. O'GORMAN. Will the Senator pardon me a moment while I address an observation to the Senator from South Carolina?

Mr. STONE. Yes.

Mr. O'GORMAN. In the case of an anarchist, which is used for the purpose of illustration by the Senator from South Carolina, the adoption of this amendment would only relieve him from the obligation of the educational test. It would not go beyond it, and the anarchist would be excluded by other provisions of the bill which are in no wise impaired or affected by this single exception.

Mr. SMITH of South Carolina. The Senator from New York will note that the committee were very careful to have the test of illiteracy removed for only one reason, and that was solely upon religious grounds. The Senator from New York well understands that that of itself is a test of a moral quality that is not involved in racial or political reasons. Believing that that should apply to all classes coming in as a restrictive measure against undesirable immigrants, we would have stultified ourselves had we modified it to include a characteristic or a principle which is not evidenced by the faith that the man has and a high moral standard. Now, we have it solely for religious purposes, because if you incorporate political and racial you have simply eliminated the effect the committee was attempting that the literacy test should have.

Mr. O'GORMAN. The distinguished Senator from South Carolina, who is chairman of the Immigration Committee, will recognize that many months have gone by since the committee as a committee considered the immigration question. Meanwhile one of the greatest wars of all the centuries has fallen upon the people of Europe. It does not require a very acute imagination to look forward a few months, perhaps a year or two from now, when nations will be subjugated and will suffer every kind of oppression by the conqueror. Are we to say that the natives of a conquered nation can not come to our shores if they will, though during the period of reconstruction they will be the victims of political and racial oppression? The Senator must recognize that we are dealing now with a condition that did not confront the committee when the committee was considering the various phases of this immigration question many months ago.

Mr. SMITH of South Carolina. Will the Senator from New York allow me to call his attention to an illustration which I think will elucidate the point? I belong to that section of the country which suffered the very condition the Senator says might happen in Europe. Does he think that because a man on his native heath suffers the reverses of war he is a desirable citizen for any country if he ignominiously deserts it and seeks another flag? We of the South picked up our burden in spite of that condition, which I dare say will scarcely be exceeded by any in Europe at this time of our civilization. What would have become of our section, what would have become of southern manhood, had we deserted the South in that hour and left it to those who were made at that time our superiors? As patriots we stood there and fought it out and redeemed our section. We did not leave it. I think that any man who is worthy to be a citizen of America is also worthy of fighting his battles on his own heath in Europe despite what the reverses of the hour may be.

Mr. STONE. May I interrupt the Senator from New York?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Missouri?

Mr. O'GORMAN. I do.

Mr. STONE. Mr. President, I will say that it is not my purpose to reply to the last observation of the Senator from South Carolina [Mr. SMITH], but to confine what I have to say to the exact point before the Senate.

The Senator did say a moment ago that this proposed amendment which we are considering, which is intended to exempt persons from the literacy test who have been the victims of political persecution or of racial persecution, might result in the admission of very undesirable people, such as anarchists and persons of immoral character or the like. Mr. President, the same thing might be true if you left the exemption, as it now is in the bill, limited solely to religious persecution. I can very well conceive, as can the Senator from South Carolina or as can any other man, that one might come to our shores, knock for admission, and claim the benefits of this exemption from the literacy test on the ground of religious persecution, when in his heart might burn fiercely the fires of anarchism or one who may not be a moral person.

What I had in mind to do, Mr. President, was to so limit the application and effect of the amendment proposed in the first instance by the Senator from Colorado [Mr. THOMAS] as to make such a thing as I have indicated impossible by inserting in the amendment, following the word "persons," in line 9 of the printed amendment, words of this import:

When otherwise qualified for admission under the laws of the United States.

Anarchists and other undesirable people who are put under the ban by other provisions of the bill or other statutes already enacted or which may hereafter be enacted, could not come in, even though they were persecuted for religion's sake or for political reasons or for racial reasons. I do not want them here; but if a man comes who is otherwise qualified to enter as an immigrant and to be admitted to our citizenship, who has been the victim of harsh and cruel persecution, whether it be for religious or for political or for purely racial reasons, I would exempt him and all such men from the operation of the literacy test.

Mr. SMITH of South Carolina. Mr. President, it must be apparent to Senators who have studied the bill, the context and the succeeding paragraph, that were the amendments proposed by the Senators from Missouri, Colorado, and New York adopted by the Senate it would be tantamount to nullifying the effect of the literacy test. The Senator from Missouri knows well enough that, as he himself indicated, the words "religion or religious persecution" are very flexible, and that a designing person might use them to come in. The exceptions, I suspect, would be few; but, at any rate, a provision couched in such language might be abused. It is certain that the law, if we propose to restrict immigration, will not be in anywise strengthened or the class of citizens coming here in anywise bettered by including political and racial persecution, stretching wide the doors, and multiplying the opportunities for abuse.

Mr. THOMAS. Mr. President—

The PRESIDING OFFICER (Mr. MARTINE of New Jersey in the chair). Does the Senator from South Carolina yield to the Senator from Colorado?

Mr. SMITH of South Carolina. I do.

Mr. THOMAS. Mr. President, I want to ask the Senator from South Carolina, who has charge of the bill, whether the amendment would be obnoxious to the last criticism which he made if the last clause were eliminated, which reads:

Whether such persecution be evidenced by overt acts or by discriminatory laws or regulations?

Mr. REED. Will the Senator from Colorado pardon an interruption?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Missouri?

Mr. THOMAS. I do.

Mr. REED. I hope the Senator from Colorado will not make that modification.

Mr. THOMAS. I have asked the question. I intended to have suggested the modification, but if the Senator from Missouri does not desire me to do so, I shall not, although I want to say very frankly that, unless I am otherwise informed during the course of this debate, I shall not insist as a part of my amendment upon the ultimate adoption of that clause, though I am perfectly willing to let it stand in obedience to the suggestion of the junior Senator from Missouri [Mr. REED].

Mr. SMITH of South Carolina. Mr. President, I wish to state very frankly to the Senator from Colorado, if he will permit me, that I am thoroughly convinced that the incorporation

of the word "political," even with the modification which he has suggested and which he has now withdrawn—

Mr. THOMAS. Temporarily withdrawn.

Mr. SMITH of South Carolina. Which the Senator from Colorado has temporarily withdrawn; and the incorporation of the word "racial" will absolutely negative the operation of the literacy test as incorporated in the bill by the committee. Our object was—and it might just as well be understood now as at any other time, as I tried to point out here the other afternoon before the close of the last discussion of this matter—to apply the test or the evidence of the best citizenship in this country to those who come from abroad.

If it be true, as was held by some on this floor, that an education, even in the rudimentary form of the power to read and write, is not essential to citizenship, then this tremendous expense which our Government in every one of its political divisions has incurred has been a farcical waste. We are attempting to apply the test to what we believe on this side constitutes one of the essentials for good citizenship, namely, the elements of an education. There is not a Senator on this floor who does not know that no man ever breaks down in the educational process, except in the elements. A man who has laid the rudiments, the foundation for reading, the power to read, the power to absorb the printed page, has made the essential step in good citizenship. The man who can not do so, it matters not how intelligent he may be natively, is a menace to any community and to any government. It does astound me that the claim is made that education is not an essential of good citizenship, for as I stand on the floor of the Senate the evidence is spread on every desk of the fact that a man engaged in making the laws of his country would be laughed out of this building were such a man, by some miraculous combination of circumstances, elected to this body who could neither read nor write. It is a monstrous proposition in this day when we have all agreed that the power to get behind your own doors in your private room and take the great facts upon which rest the moral, the mental, the social, and the political welfare of your country, and there settle them with the thought of the best of all the ages is essential to the best citizenship, that we should swing wide our doors and say that that flood tide of immigrants from Europe who through all the ages of printing and of progress in educational lines have not availed themselves of such advantages shall come here to lower the percentage of literacy in this country, to menace and to jeopardize our society and our institutions. I do stand with amazement when I am confronted by men in high place who tell me that the educational qualification is not a test.

I never pretended to say, and none of the advocates of the literacy test pretend to say, that it is an infallible test of morality; but there is not a man who will dare deny that it is an evidence on the part of the individual acquiring the ability to stand the test that he wants to learn and to acquire the power to know for himself the difference between those things which make for good citizenship and those which do not.

The Senators who are opposing the literacy test will not say that as a principle, as a rule, it is not a test of a man's qualification for good citizenship. There may be exceptions, but have we as a body of men come here to stultify ourselves and to jeopardize the country by distorting the rule in order to fit a few exceptions? The Senator is too well learned in the law for me to take up the time of the Senate in calling his attention to the operation of that general principle.

Mr. LEWIS. Mr. President—

The VICE PRESIDENT. Does the Senator from South Carolina yield to the Senator from Illinois?

Mr. SMITH of South Carolina. I yield.

Mr. LEWIS. In view of the remarks of the able chairman of the committee, I appeal to his experience and ask him if in the land where he has lived, the State which he so ably represents, he has not known many negroes who could not read or write, but whose reputation for honesty, Christianity, and sobriety—the general characteristics of a good man—were such that he would have trusted them with anything personal to himself, his household affairs, the privacy of his family, or the care of his property; and whether he has not found such excellent individuals, notwithstanding the fact that they could not read or write?

Mr. SMITH of South Carolina. Oh, yes, Mr. President. If I intended, as was suggested to me some time ago by a man in high office, that the immigrant coming from abroad should be a commercial asset, as the labor of this country seems doomed to be, and by virtue of his ignorance I could make such immigrant docile, I would vote for the elimination of the literacy test.

As the Senator suggests, I have known negroes who, by virtue of their inability to read and write, were as docile as

my broken horse. I have known negroes who when they came to read and write were not so amenable to the domination of the white man; and for that very reason I prefer to have men who can qualify to take a place in the great struggle to build up this country and who by virtue of their ability to read and write are somewhat familiar with the actual facts of history as they relate to the different nations of the earth.

There are to-day white men who make splendid citizens from the standpoint of not interfering with you and me because of their intellectual processes. That condition, I presume, may be very comfortable where we have them working for us, as, by virtue of their mental limitations, we are masters of the situation; but I am not advocating a multiplication of that sort of citizenship. I am striving to apply the test for all future acquisitions of citizens in this country that I would apply to myself, and it is not fair to stand on this floor, in view of the millions and millions we have spent for education, and say that that is not an essential element that goes to make up good citizenship. We have as President of the United States a man who has devoted his life to an educational institution, who is of such value to the Nation that he has been elevated to the Presidency of the United States from the seclusion of college halls—devoted his great brain and life to what? To teaching American boys the power of an educated brain; and yet there are those who stand on this floor and say that education is not essential to good citizenship, because, forsooth, some individual, inheriting from father and mother a docile spirit and an inclination to live within the law, makes a good what? A good negative citizen.

Mr. LEWIS. Now, Mr. President, if I may I will ask the second part of the question which I had in mind to ask the Senator from South Carolina. In South Carolina, a State with which I am acquainted—my mother's family coming from South Carolina, and my mother herself having been born there, neighboring to Georgia, where I was reared—is it not true that the Senator has observed that among negroes who can read and write he has found the highest-developed criminal instincts, and among many of those who could both read and write he has found the most objectionable form of citizenship in Carolina, as compared to that other quality of Christian character and peaceable, law-abiding disposition on the part of those who could not either read or write?

Mr. SMITH of South Carolina. That is absolutely true. I believe that is the rule, and therefore I could not under any circumstances agree to the word "racial" being incorporated in the proposed amendment. We have gone so far in our legislation in this country as to enact what is known as the Chinese-exclusion law. There is what may be called a gentleman's agreement in reference to Japan; and we provide for the exclusion of certain other Asiatics. Surely, the broad-minded philanthropy of the men who believe in the universal brotherhood of mankind should inspire those who weep great tears over their suffering to offer an amendment to the pending legislation providing that the doors be open to China. The citizens of that country are human; they suffer in common with us; they suffer, perhaps, in that vast domain infinitely more than the citizens of other countries, and so, perhaps, do the Japanese. We ought to make it—

Mr. REED. Mr. President—

Mr. SMITH of South Carolina. I do not yield just now. As the Senator will see, rather than break my sentence, I am observing the law of courtesy he taught me a few days ago.

Mr. REED. Mr. President, I am observing it by not interfering any further.

Mr. SMITH of South Carolina. I am glad to note that statement, or I would not have noticed that the Senator was observing that law. I mean to say that we might as well be frank with each other in the discussion of this measure; let us talk as sensible men to each other. It is not, in my opinion, entirely universal philanthropy, but philanthropy in spots.

As I said before, the committee has endeavored honestly and earnestly to frame a just and equitable bill, and the chairman, if you will excuse this personal allusion, has devoted his best efforts to discover wherein, in the provisions of this bill, we are doing violence to the traditions of this country and inflicting on foreigners a test that we by virtue of our own standards have no right to inflict. I sincerely hope, Mr. President, that the test which we have placed in this bill, and which lies at the foundation of all human problems—intellectual development—will not be stricken from this bill or modified to such an extent as to jeopardize its efficiency.

Mr. THOMAS and Mr. REED addressed the Chair.

The VICE PRESIDENT. The Senator from Colorado [Mr. THOMAS] is recognized.

Mr. REED. I desire to ask the Senator from South Carolina a question.

Mr. SMITH of South Carolina. I beg the Senator's pardon.

Mr. THOMAS. I yield to the Senator from Missouri.

Mr. REED. Mr. President, the Senator from South Carolina has had a good deal to say about the evils of illiteracy, and he instanced China. I want to ask him if he is not prepared to admit that there is probably a less degree of illiteracy among the Chinese people than there is among the white people of his own State?

Mr. SMITH of South Carolina. Well, Mr. President, perhaps, were I fully advised, I might admit that and still believe in Chinese exclusion.

Mr. REED. Oh, yes; we all believe in that. We do not, however, exclude the Chinese because of illiteracy, but because of race.

Mr. SMITH of South Carolina. Yes; I will ask the Senator from Missouri this question: Granting that the races that we do admit are somewhat similar ethnically to our own race, does he not believe as a rule that the man who is educated is better qualified for citizenship than one who is not?

Mr. REED. Oh, nobody would deny that for a moment, but the question still remains should he be denied the rights of a human being because of his misfortune?

While I am on this subject I desire to call the Senator's attention to the fact that the census of 1910 shows that the degree of illiteracy among the whites in his own State is 10.3 per cent and among the blacks 38.7 per cent; that the average degree of illiteracy in South Carolina is 25.7 per cent, and that the foreign-born population of his State constitutes four-tenths of 1 per cent, so that the illiteracy there can not be charged to immigration.

Mr. SMITH of South Carolina. Mr. President, I have not charged that illiteracy in this country is due to immigration. I certainly am obliged to the Senator for calling attention to the misfortune of my State, brought about largely by the negro population and the misfortunes of the Civil War. I think I might with propriety answer the observation the Senator has just made by saying that in view of the fact that in my State there is such a large percentage of illiteracy, God knows I do not want to increase it by importing any from abroad until we get rid of what we have.

Mr. REED. But, Mr. President, the trouble with that argument is that the average rate of illiteracy of the people coming to this country is probably less than 10 per cent.

Mr. THOMAS. Mr. President—

Mr. DILLINGHAM. Mr. President—

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Vermont?

Mr. THOMAS. I yield.

Mr. DILLINGHAM. I merely want to correct the statement made by the Senator from Missouri as to the average rate of illiteracy of those coming to the United States. I think he is altogether wrong in the statement that he made with relation to that matter.

Mr. ROBINSON. Mr. President, if the Senator will yield to me, confirming the statement of the Senator from Vermont, my recollection is that if the literacy test had been in application last year, 26 per cent approximately of those who were admitted would have been excluded on account of illiteracy.

Mr. DILLINGHAM. That is substantially the correct figure, as I understand.

Mr. ROBINSON. Yes, sir.

Mr. REED. Mr. President, I stated that illiteracy among immigrants was probably less than illiteracy in the State of South Carolina, and the illiteracy in the State of South Carolina averaged 25.7 per cent, according to the census of 1910. Without having examined the figures with reference to foreign immigration, I very much doubt the statement that it exceeds that figure. However, I have sent for the figures, and when I get them I shall be glad to be put them in the RECORD.

I want to say further that the degree of literacy of immigrants coming to this country last year, or in any particular year, is not a fair test; that a period of years should always be taken in order to test any question of that kind. An enormous immigration from any particular country might lower it. To illustrate, if there was a large immigration from Sweden, where I believe the proportion of illiteracy is only two-tenths of 1 per cent, during any particular year it would reduce the average of illiteracy amongst the immigrants coming in that year. On the other hand, if we were to have a very heavy immigration from Servia, we might find the contrary of those figures; but, taking it over a period of years, I do not think it will run as high as 25 per cent. However, I shall try to get the figures. I thank the Senator from Colorado for his courtesy.

Mr. THOMAS. Mr. President, I did not intend to take any part at the present time in the discussion of the pending amendment, but the assumption upon the part of the Senator from South Carolina [Mr. SMITH] seems to be, and is, perhaps, in part, justified by the fact that the amendment is mine. If its adoption, either in its present form or with friendly amendments, will result in destroying the so-called literacy clause of the present measure, then of course that assumption is correct; and if it should have that effect I should be very sorry for having introduced it. I want to assure the Senator that I am quite as much in favor of a literacy test for the purpose of restricting immigration and eliminating as many undesirable elements as possible from it as he is, although we may differ as to the manner of accomplishing the object or as to the effect of this or other amendments upon that object.

I am in favor of placing some such restriction upon immigration in this country as is contemplated by this bill, but I do not believe, Mr. President, that the proposed amendment, especially if the last clause of it should be eliminated, will have the effect which the Senator seems to believe will be the case. But if that were to result from the adoption of the amendment, and we can not secure a literacy test except by eliminating the amendment, then I should be compelled to support the amendment, although it might result in eliminating that test.

My reason for it, Mr. President, is that I do not believe the time has come—and I hope the time never will come—when asylum upon our shores is denied to a man or to any set of men who in good faith seek that asylum because of political persecution. To my mind, political persecution is quite as intolerable, in these days at least, as religious persecution—and they have been intertwined in the history of the race almost since the dawn of civilization. It is difficult to separate them, and impossible to do so when the racial element also enters into the problem.

This country was originally populated by a class of people who sought its then inhospitable shores as the only method of escape from persecution; and that persecution had the double aspect of being religious and political, because then the church and the state were united, and the prime political cause for religious persecution was the outgrowth of that fact. They are united now in some countries, and particularly in Russia. While the Jew—because we must single him out in speaking of that country—may, as hitherto asserted, be persecuted and hounded and oppressed because he belongs to an obnoxious race, we know that the inspiration of that persecution is largely found in the attitude toward that race of the Greek or established church; and he can not there be persecuted because he is a Jew without being persecuted because his religion is not the prevailing one, or the state one. That makes it the more difficult for such an one to escape from its consequences into our jurisdiction upon the plea that he is being persecuted for religion's sake or for conscience sake, when his persecutor may challenge it, and declare that the laws which oppress him and the practices which strip him of his possessions are based upon political reasons, to wit, that the race to which he belongs is inimical to the institutions of that country, one of which is the established church.

But even if it were not so, Mr. President, I want to state deliberately, as a fundamental proposition, that the doors of immigration to this country should never be closed to the man or to the woman who is compelled to flee hither because of intolerable conditions imposed upon him or her by reason of political belief or conviction. It will be a sorry day for us, the champions of liberty, the people whose proud boast is that liberty of conscience shall always be recognized and the right to exercise it enforced, when we say to those to whom that liberty is denied, whether of religion or of politics: "You may not come here and thus escape conditions which history tells us are the most terrible which tyranny can impose upon the human race."

Therefore, Mr. President, I want to see a literacy test sufficiently broad to permit political and religious exiles to come to this country, provided they are otherwise admissible under the provisions of our immigration laws. I take it, therefore, that the amendment to the pending amendment suggested by the Senator from Missouri is a very pertinent one and one which should be incorporated into the pending amendment.

So much for the amendment itself. While I am on my feet I want to say a word or two with reference to the general subject covered by the pending bill.

The purpose of it is not only commendable, but its accomplishment, in my judgment, is demanded by the political and the industrial conditions of this country, and I am not sure but that restrictions other than those of a literacy character should have been incorporated in this bill, to the end that immi-

gration might be still further limited. Our immigration during the last few years has been from southern and southeastern Europe, from certain sections of Asia, and to some extent from Russia, and the great percentage of it comes to us not because of dissatisfaction with religious or political conditions at home, but because of our better industrial conditions. It is attracted largely by the advertisements of steamship companies and by the other activities of those companies, to the end that dividends may be earned from their operations; and it therefore has assumed almost entirely a commercial aspect, some features of which, in my judgment, are of a most meretricious character.

In other words, we are not any longer, so far as immigration is concerned, so much the asylum for the oppressed as the paradise of those who by their cheap labor can better their condition. Not only so, Mr. President, but many of them come not intending to incorporate themselves into the body politic, not intending to acquire a new home across the sea, where their children and their children's children may subsequently identify themselves as citizens thereof, but intending simply to make sufficient money to enable them to return to their native land and occupy thereafter, relatively, a position of comfort and of independence. As a consequence the genuinely permanent labor in this country is and has been for some time subjected to a drastic competition, which has not only created widespread discontent, but which has very materially lowered our standards of living, and consequently our standards of morality; for you can not have a constant horde of immigrants, inspired by the prospect of abundant labor to be obtained through successful competition with our labor here, without producing just such conditions.

I think a great percentage of the industrial discontent of this country, a vast amount of the idleness and lack of employment, is due more to the enormous numbers of immigrants coming from these new countries, whose nativity and habits of life, through the indurated processes of generations, make them difficult of assimilation, than to any and all other causes combined. The old immigration, so much to be desired, and which has done so much to establish and make permanent the industrial and political institutions of this country, coming from countries whose people are bone of our bone and flesh of our flesh, coming from the countries of northern Europe, has almost disappeared, so that its thin current which now reaches our shores and has reached them for a number of years is scarcely perceptible. They have been supplanted by the greater and more sluggish tide of immigration to which I have referred, who have brought in their wake political and industrial consequences which make the question of the further continuance of this policy one of the gravest, if not the gravest, of the hour.

Mr. President, some time ago I saw in one of the magazines an article treating of the general question of immigration which throws a great many side lights upon it as well as upon other conditions in this country. One of them attracted my attention very earnestly, because it demonstrated by statistics that during the last 20 years the percentage of immigrants who became agriculturists in this country was almost negligible, while the Scandinavians and Germans and English and Irish and French and Scotch, who made up the greater portion of our immigration in times past, were very largely devoted to agricultural pursuits. The new class of immigration floods into our cities and becomes consumers of the necessities of life instead of producers, thus largely adding to the disproportion between them and directly affecting the almost equally important problem of the high cost of living.

If it be true that with our vast domain, needing settlement and cultivation, and for which reason more than any other the immigrant has been in the past welcomed to our shores, then it is equally true that a class of immigrants which avoids that particular industry and does not add to the development of the material wealth of the Nation, but enters into our crowded cities and communities, there to be corrupted by the political life of American municipalities, and to compete successfully with American labor by degrading it, should be discouraged not alone by a literacy test but by other tests.

This class of immigrants has been encouraged by the great corporate employing interests of the country, which, combined with the activity of the shipping companies, has made the pursuit a great and profitable one, and at the same time, as I have stated, has introduced into this country a Pandora's box of evils, the first evidences of which we have suffered from and will continue to do so in increasing proportion.

I do not believe any man should be permitted to come to this country as an immigrant who simply proposes to use our opportunities here in competition with American labor and then return. I do not think he should be permitted to come here at all. The present practice permits such immigrants to come in

overwhelming floods when the demand for them is great, to reduce the general standard of wages and of living, and to leave when that demand recedes, only to return when it shall reappear. It necessarily unsettles established business and industrial conditions, necessarily creates profound discontent and dissatisfaction, and necessarily lowers, and permanently lowers, those standards of American life which, after all, are the distinguishing features of our civilization, and which make it so much higher and so much better than that of other countries.

Mr. President, my State has been suffering for some time from very serious industrial strife. It has been the theater of one of the most deplorable labor strikes of modern times—a strike which has attracted the attention of the entire country and has received examination and inspection from its social, its political, its moral, and its industrial sides. It has been the basis of a great deal of resentment. It has excited much passion. It has been the subject of much misrepresentation. It has been, in all of its respects and all of its features, one of the most unhappy and unfortunate episodes of our industrial development. I am not at this time going to pronounce my own judgment either upon its causes or consequences or upon any of its other pressing problems. I shall not do so until the present investigations shall have ended and the public is made acquainted with the results; but I want to say, as I have said heretofore, that one of the root causes of that unfortunate trouble is found in the class and character of modern immigration—a cause which extends back for a number of years, certainly more than a decade, and which, in my judgment, made that strife sure to come, either now or hereafter.

We had a similar trouble—not so extensive and bloody a one, not one which attracted such universal attention—away back in 1903-4, at which time the principal coal operators in the southern part of the State using the military power and arm of the Commonwealth forcibly ejected and deported from their midst all turbulent, disorderly, undesired, or suspected characters, took them beyond the limits of the State, and imported in their places fresh from southeastern Europe as many men as were necessary to carry on their operations. These men thus introduced into our political community were during the short summer which followed for the most part naturalized by the companies through the agency of the courts and used to control the elections of that year. These, for the most part, are the men thus imported into our midst and given places rightfully belonging to our own American labor who recently determined their own condition to be so intolerable as to justify the insurrection of 1913-14, and the echoes of which are still observable in the press comments all over the country.

Care was then taken to see that this immigration was distributed over a large number of counties, so that the employees, speaking diverse languages and inspired with race prejudices, would not combine or confederate, but, each flocking to itself, make industrial combinations and further difficulties improbable, if not impossible.

Last May the President of the United States, responding to the call of the governor of Colorado, took charge of the coal counties, and with the military power of the Nation proclaimed and kept the peace and has preserved it since that time. When he did so he issued a proclamation commanding all persons to disperse, cease breaking the law, and return to their homes; and in order to make that proclamation effective it had to be translated into 22 different languages, and, as translated, distributed among as many nationalities.

I think, therefore, I am fully justified in saying that one of the root causes of this trouble was the immigration made possible under existing law by means of which home labor is first supplanted and then controlled, afterwards to find vent in those volcanic outbursts that disturb the peace and threaten the very structure of the social organism.

For this reason I am in favor of a restricted immigration; for this reason I believe in a literacy test and think the problem is one of such a grave nature. But, impressed as I am with the virtues of this bill, and intending to vote for it in such shape as the Senate shall ultimately determine, I can not lose sight of a distinguishing feature of American institutions always proclaimed, and thus far with perfect truth, that he who seeks asylum from political persecution can find it under the Stars and Stripes. Unless it becomes necessary in order to secure the passage of this bill, I do not care to have my vote recorded for a section or a provision that draws the line at religious persecution and denies asylum in America to the man who suffers politically.

I hope, therefore, that this amendment or some amendment embodying that great and vital principle may be incorporated into this measure before a final vote is taken.

Mr. SMITH of South Carolina. Mr. President, before the Senator from Colorado takes his seat I should like to ask him a question. Does he not think the proviso at the bottom of page 9 gives ample opportunity for the third class for which he has been speaking and for which his amendment was intended? The clause above, as I pointed out a moment ago—the exemption under the literacy test—was, in the opinion of the committee, the only one that would be admissible, taking it for granted that the administrative officers would have sufficient discernment and take care and pains to investigate and ascertain that the individual seeking admission under the exception provided for, solely for religious purposes, was one to whom that exception might be granted, while the politically persecuted should not be denied admission here because he has been convicted, even.

Now, the distinction, in a word, is this: That the man who individually flees his native land because he can not worship God or his god according to the dictates of his own conscience, and because of the faith that is in him per se, seeks an asylum here, there is established by that very fact a degree of personal morality that might offset any danger accruing from him under the general terms of the literacy test, while in a political sense that could not be true.

I would just suggest to the Senator that the men who are a menace to political institutions are generally the men who would not be subject to the restrictions of the literacy test. The country does not fear the poor ignorant individual per se, but it does fear the learned one who preys upon the ignorant. Where an educated man is immoral and conscienceless he has a fertile matrix for the propagation of his iniquity amongst the ignorant; and this bill, even in that case, provides that if he be politically persecuted and is otherwise admissible he can come in.

Mr. THOMAS. The Senator has called my attention—

Mr. MARTINE of New Jersey. Mr. President—

The PRESIDING OFFICER (Mr. THORNTON in the chair). Does the Senator from Colorado yield to the Senator from New Jersey?

Mr. THOMAS. I had intended yielding the floor, but owing to the express desire of the chairman of the committee to ask me a question I have not done so. I will assure my friend the Senator from New Jersey, however, that I will occupy only a moment in reply.

Mr. MARTINE of New Jersey. I recognize the Senator's right. I rose to a parliamentary inquiry.

Mr. THOMAS. I do not think that the proviso found at the bottom of page 9 is sufficiently broad to cover the proposition which I have been discussing. I have no doubt that the Senator from South Carolina has given it very much more attention than I have. I have the most profound respect for his opinion, and I am convinced that the committee have sought diligently and earnestly and conscientiously to properly cover this identical point. The proviso reads:

That nothing in this act shall exclude, if otherwise admissible, persons convicted of or legally charged with an offense purely political, not involving moral turpitude.

Mr. SMITH of South Carolina. The words "or legally charged with" have been stricken out.

Mr. THOMAS. I understand the words "or legally charged with" have been stricken out. I think that the clause comes more nearly conforming to the opinion of the Senator as to its effect with this excised clause than without it; but even then it is not broad enough to comprise the class of cases to which my amendment is directed:

That nothing in this act shall exclude, if otherwise admissible, persons convicted of an offense purely political, not involving moral turpitude.

Mr. President, political persecution is not confined to indictment and conviction nor to legal charges. Political persecution seldom seeks these concrete forms. When it does they can be met. To some extent public opinion may be created by the effect of which, if the prosecution is nothing but a persecution, it may be very largely minimized. It is that system of espionage, that constant interference and ostracism, which more than any direct act wears out the heart of man and drives him in exile from his country, rather than where the persecution is through forms of law followed by conviction. This covers a certain class but not all classes who have a right to come here in the event that their political views are obnoxious to the Government under which they live to the extent that persecution and oppression follow. I would therefore like to make it a little broader.

I quite agree with the Senator that the literacy test can not keep out of this country many educated people who are more dangerous perhaps because of their education than the most ignorant of men can be. We all know that those who preach,

and preach loudly, doctrines that are abhorrent to organized society and destructive of all forms of political government are frequently among the most intellectual of men and women. We also recognize that they possess the magnetic power of eloquence, of persuasive oratory, and by the exercise of their genius they do more to propagate their pernicious doctrines than all the ignorant men in the world can do.

But I understand that this law has been drawn so that other clauses directed against that class of individuals will exclude them unless indeed they commit perjury for the purpose of getting into the country, in which event the manifestation of their doctrine within five years will be sufficient ground to exclude them.

I do not believe, and since I have reached years of discretion I have not been able to believe, that education promotes morality. On the contrary, I am inclined to think that our education is largely at the expense of our moral growth, because the country to-day, viewed from a religious standpoint, is much less orthodox and doubtless much less moral than when the percentage of ignorance was much larger.

My position therefore is not based upon the effect which the exclusion of the illiterates will have in general so much as it is upon the fact that it is a restriction, and as such one which I should like to see enforced, always provided that victims of religious and political intolerance may not be included within the general inhibition, thus casting a reflection upon our future that ill accords with the splendid record of our past.

Mr. MARTINE of New Jersey. I desire to ask what is the parliamentary situation and whether it would be a fit and proper time to offer an amendment?

The PRESIDING OFFICER. There is an amendment pending, and it must be disposed of before another amendment can be offered.

Mr. MARTINE of New Jersey. All right.

Mr. REED. Mr. President, I had hoped that the chairman of the committee would see his way clear to accept the amendment offered by my colleague.

Mr. STONE. That there may be no misapprehension as to what the amendment is, I should say that I have not offered any amendment. The amendment to which the Senator alludes, which is the pending one, was proposed by the Senator from Colorado [Mr. THOMAS], and by his consent, on the motion of the Senator from New York [Mr. O'GORMAN], the word "racial" was added, but it was not my amendment.

Mr. REED. I understood that the word "racial" had been suggested, but I did not know it had been accepted as a part of the amendment.

Mr. President, there is always a time when it is well enough to state a case, because in discussions we sometimes get far away from the case. Section 3 of this bill expressly provides:

That the following classes of aliens shall be excluded from admission into the United States: All idiots, imbeciles, feeble-minded persons, epileptics, insane persons; persons who have had one or more attacks of insanity at any time previously; persons of constitutional psychopathic inferiority; persons with chronic alcoholism; paupers; persons likely to become a public charge; professional beggars; vagrants; persons afflicted with tuberculosis in any form or with a loathsome or dangerous contagious disease; persons not comprehended within any of the foregoing excluded classes who are found to be and are certified by the examining surgeon as being mentally or physically defective, such mental or physical defect being of a nature which may affect the ability of such alien to earn a living; persons who have been convicted of or who at the time of seeking admission to the United States are legally charged with a felony or other crime or misdemeanor involving moral turpitude; polygamists, or persons who admit their belief in the practice of polygamy; anarchists, or persons who believe in or advocate the overthrow of force or violence of the Government of the United States, or of all forms of law, or who disbelieve in or are opposed to organized government, or who advocate the assassination of public officials, or who advocate or teach the unlawful destruction of property; persons who are members of or affiliated with any organization entertaining and teaching disbelief in or opposition to organized government, or who advocate or teach the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States.

Then, without reading, prostitutes, or persons coming into the country for the purpose of prostitution or for any other immoral purposes.

Now, all those classes are excluded, and the exclusion reaches all of the evilly disposed, all of the vicious, all of the wicked, all of the diseased, all of those classes against which the learned Senator from South Carolina has so eloquently and vehemently spoken.

Against the exclusion of that class of people there is not now and has not been a single word of protest upon the floor of the Senate. It is the proper kind of exclusion, and to that character of exclusion I am willing now by a specific name to exclude all those races of men who are incapable of being assimilated into our population—the Chinese, the Japanese, the people from India, Hindustan, and all those elements that can not be melted into and become a real, genuine part of our civilization.

I think this bill is defective in that it does not reach these very races of men who are not of the white race, as we use that term. I would exclude them, not because of hatred for them, not because of prejudice against them, but because in their bone and blood and brain and disposition for a thousand thousand years there has been instilled the spirit of a different civilization. It begins with the family relation; it runs through all their social life; it is expressed in every phase of their political existence. They can no more be accustomed to our civilization than the fish, that is the natural inhabitant of the water, can be accustomed to living upon the land. Turn them loose without any government, give them absolute freedom, and they would set up a civilization substantially similar to that under which they now live. They can not transform themselves and make of themselves a people believing in the vital principle of every republic, which is that each individual shall constitute an independent element of society and an integral part of the State.

I say, therefore, all the heroics that he may indulge in in regard to the protection of this blessed land against the evil races of men who dwell in other lands is eliminated by the very language of this bill; and if it be not, then let us eliminate it by proper language; let us strike at the race problem as a race problem.

When the Senator argues that anyone proposes to admit the wicked, and the corrupt and the vicious and to tear down the temple of civilization, he is simply raging with poised lance and shining shield in front of a creature of his own imagination. It is not an issue here. Nobody has advocated it; nobody is going to advocate it. The question is, Can the fitness of a man for citizenship be determined absolutely, finally, and conclusively by his possession or his lack of possession of an education? All these other questions now are aside. They are covered by the bill. I am willing to go with the committee as far as they like in excluding the vicious, the corrupt, and the dangerous from our shores, and to go further and exclude any race, not because, as I said a moment ago, I have any feeling against the race, but because they are incapable of becoming a part of our civilization or sustaining our Government.

Coming, then, to this amendment let us for a moment see just what the effect will be. It will be observed that it relates only to the literacy test. If a man possesses an education, he must also be free from the objectionable characteristics which are prohibited by the bill, and then we come to an inhibition which relates only to the question of education, and we are to treat that alone. The bill recites—

That the following classes of persons shall be exempt from the operation of the literacy test, to wit: All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they emigrated from the country of which they were last permanent residents solely for the purpose of escaping from religious persecution.

Now, the committee admit that if a man is fleeing from religious persecution he should be permitted to come into the United States whether he can read and write or whether he can not read and write. That is an admission of the principle that there should be exceptions and that there properly may be exceptions to the literacy test as a bar. That provision has been amended so as to cover political persecution. Again, if a man flees to escape political persecution the committee admit that he should not be excluded simply because he can not read or write.

Now, we come to the proposition of this amendment, which is that—

All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they are seeking admission to the United States to avoid religious or political—

And, now, as amended—
religious, political, or racial persecution.

We might as well discuss the question of racial persecution with great frankness. The Senator in charge of the bill pronounced a eulogy upon the Jewish people. He told how intelligent they are. It sounded like an exordium uttered in a Jewish synagogue immediately preceding a primary election. He told us, in effect, that the Jews are a great and wonderful people. I think it was this Senator—some one, at least—who said that the torch of learning through the Middle Ages was held aloft in the hands of the Jews; and that, of course, is true. Then he went on to assert that the Jews had availed themselves of educational possibilities in Russia to a remarkable degree; that while they were restricted and held down by law and placed under every kind of disadvantage, yet the illiteracy of the Jews in Russia was less than the illiteracy of the Russian, to whom the doors of the schoolhouses always were held open. Yet, having thus argued that the Jew is possessed of a thirst for learning, that he has availed himself of the opportunities in his own country to a marvelous extent, and laboring under the dis-

advantage of discriminatory and oppressive law, has yet far outstripped the Russian people themselves, he will not permit an amendment including the word "racial" to the bill, although he knows it applies almost alone to the Jews. Perhaps it might include that race of men who sent one of their great patriots here to stand in the armies of the United States, who helped us fight for our liberties, and whose monument now adorns Pennsylvania Avenue. For the most part it will apply to the Jews alone.

And now it is proposed to say if a man is fleeing from religious persecution he can come. He may be a Mohammedan fleeing from the persecution of some country on account of his religion. He may be a follower of Confucius. I might call the long list of those who worship what we call heathen gods, and yet he can come in. But this race of people, who are persecuted because of their race, are barred out; and yet the Senator said that he thought they might come in, because they were really being persecuted for their religion. Yet when it is proposed to make that phrase clear and plain and explicit by writing in the word "race," he opposes it. The truth is that this is opposed because of opposition to the Jewish people; and I propose for a moment to address myself to the question of whether the Jewish people ought to be excluded from the United States.

I start with the proposition advanced by the learned Senator in charge of this bill, that the percentage of illiteracy among the Jews in Russia, while high, is yet much lower than it is among the Russian people themselves, although under the laws of Russia the Jew is herded within the pale, denied the opportunity to engage in the learned professions, denied admission to the public schools, except in a certain percentage; and I was advised the other day by one of the most intelligent Jews I know that the law, when he left Russia a few years ago, was that, in order to be admitted to the high school the Jew had to be one of but 5 for every 200 other students; that is to say, out of every 200 students in a high school but 5 could be Jews; and as the particular school the Jew was permitted to attend was located within the pale where the Jewish population was probably 20 to 1 it practically meant the exclusion of all Jews from a high-school education. Similar restrictions are found in regard to the primary schools, either by absolute law or by administrative abuse. Yet under these adverse circumstances the Senator in charge of this bill states that the Jews in Russia have advanced further in education than have the Russians of Russia.

Why, then, deny admission to people possessed of this thirst for learning? A few of them come here illiterate, the older men bringing their families with them, for the Jew is essentially a man of family. It is to be said in praise of that race that the family ties are stronger and more tender than, perhaps, among any other race of people. Oppressed and crushed and persecuted because of their race and their religion, they have struggled on until a little money has been accumulated, and the father comes here. Perhaps he can not read and write because he was unable to secure an opportunity to learn. When he comes he brings his children.

What of the children? Who will have the temerity to stand on this floor and say that the Jewish people do not send their children to school, do not deny themselves the very necessities of life that their offspring may obtain an education? I happen to be acquainted with a Jew who was born within the pale in Russia, who sought to enter the public schools there and was denied the privilege. His parents happened to have accumulated a little money, and they paid a bribe of a thousand rubles to a Russian officer to have this boy admitted to the high school. The money was taken, and then the privilege was denied. He came to this land alone; he secured not only a common-school education but was graduated with honor from one of our universities. He is engaged in conducting a Jewish eleemosynary institution in my city. That institution maintains a school in which is taught the English language, the laws of our country—that is, so far as they affect ordinary civil government—music, and the rudiments of medicine and of the mechanical arts. They receive these immigrants who are unable to speak a word of our tongue; they secure them positions at humble labor; they watch over them and guard them. Through that institution every year there pass hundreds and hundreds of these people. They keep track of them and loan them money. This young Jew made the statement to me that out of 870 loans made last year there had been an actual loss of but 1½ per cent, which was more than made up by the interest that was paid. He stated further that in every instance where there had been a default in payment of the principal it was traceable directly to death or to some other catastrophe that the individual could not prevent. He further stated to me that over 99 per cent of all the children of school age of these immi-

grants were attending the public schools. As illustrative of how speedily, how hungrily, and how eagerly these people acquire a knowledge of our institutions, he stated to me that the United States district attorney was brought there to lecture upon American citizenship, and that this man stated to these people: "When you become citizens you have all of the rights I have," repeating the phrase several times. When the lecturer—this United States district attorney—took his seat and the meeting had adjourned my informant stated that an old Jew who had been here but six months and had acquired the rudiments of our language went to him and laughingly said: "You are mistaken. When we are naturalized we do not have all of the rights that you have; the Constitution of the United States otherwise provides."

These people once had a rather broad liberty in Russia. It is only within modern times they have been herded together like cattle within the pale. I put it hard upon the conscience of every man who is to vote upon this bill, Will you deny admission to an individual who has been absolutely denied the opportunity to acquire learning, but who nevertheless is sound in body, sound in mind, sound in morals, and who, in order to benefit himself, seeks a place where he can learn and where the temple of intelligence is open for his children to enter? Will you say to him because he has been denied opportunity in the land of his birth that the door of hope shall be shut forever in his face? Will you say to the man whose back is already scored with the whip of the oppressor, "Because the blood has already been drawn, you shall forever remain under the lash"? Shall we join in the old proscriptive cry which has been the curse of mankind through the ages? Have we advanced to no plane higher than that low level in which fanaticism and hatred and prejudice have controlled the actions of men and of races of men?

Spain drove out the Jews, and Spain's decline began from that hour. England, Holland, and other countries received them, but they did not decline; they were not ruined; their people were not destroyed. Just in proportion as nations have shown a broad liberality upon all these questions have they prospered and become great. Would you condemn these people or any people who are capable of assimilating themselves into our life because they have been denied an education? It takes something besides education to make or the lack of it to unmake a man. I have here a report—

Mr. STONE rose.

Mr. REED. I see my colleague has risen. Does he desire to move an executive session?

Mr. STONE. I do, if my colleague has reached the point where he could defer his observations.

Mr. CLAPP. If the senior Senator from Missouri will withhold his motion for just a moment, I desire to suggest to the junior Senator from Missouri at this point that the real test of the relation of education to citizenship depends upon the opportunity which a man has to acquire it.

Mr. REED. Exactly.

Mr. CLAPP. While the failure to get an education where the opportunity exists would go to the question of the fitness of a man, it could not go to his fitness where the opportunity had been denied him.

Mr. REED. I want to say just a word in conclusion of the remarks that I am making. I have here some facts with reference to the education of our own people, which I propose to lay before the Senate in the conclusion of my remarks. I now yield to my colleague.

Mr. STONE. Mr. President, I should like to have it clearly understood that the amendment I have proposed to the amendment of the Senator from Colorado is to insert after the word "persons," in line 9, the words "when otherwise qualified for admission under the laws of the United States." Possibly the Senator from Colorado might be willing to accept that as part of his amendment.

Mr. THOMAS. Mr. President, I am willing to accept the amendment suggested by the Senator from Missouri.

Mr. SMITH of South Carolina. As amended, I will inquire how the amendment will then read?

Mr. STONE. It will read in this way:

That the following classes of persons, when otherwise qualified for admission under the laws of the United States, shall be exempt from the operation of the illiteracy test—

And so forth.

Mr. SMITH of South Carolina. Mr. President, as a matter of course that will have to be decided by a vote of the Senate. That, in my judgment, would not change the effect of the amendment as to those whom it is sought to exempt from the illiteracy test; and as chairman of the committee I could not

accept it. I have given as amply as I knew how my reasons for opposing any modification along lines political or racial.

At the proper time I shall have a word to say as to the comments made by the Senator from Missouri [Mr. REED] upon the remarks submitted by me the other evening concerning the Jews; but I can not accept the additional modifying phrase which the Senator from Missouri seeks to place upon the amendment. I appreciate fully the object sought to be attained—the opening of our doors as far as may be to the Jews alone. We might not be averse to that as a general proposition were we assured that it could not be used for other purposes; but after mature deliberation by the committee, or by some of its members at least, and informing ourselves as to the extent to which this might go, I am quite sure that the effect would be to nullify the literacy test.

I took occasion the other day to show that, applying the literacy test, fewer Jews would be affected than the people of any other nation.

Mr. STONE. Mr. President, I move that the Senate proceed to the consideration of executive business.

Mr. SMITH of South Carolina. Before that motion is put, will the Senator allow me to make a statement?

Mr. STONE. I withhold the motion for the moment.

Mr. SMITH of South Carolina. The time is drawing near for the holiday recess, and there are certain pressing personal obligations which I should be very grateful to the Senate if it would allow me untrammelled to meet. Of course, I have no right to come here and set up any personal obligations other than those assumed in the discharge of my duties as a reason why a bill should take any certain course, but I did hope that we might fix a day certain for a vote, say at such time as would give ample opportunity for debate to all those who desire to be heard on provisions of the bill or amendments which they think should be presented, as well as to those who think that the bill should remain as it is. I did hope that we might have a day fixed for a vote, so that I could arrange certain personal affairs without any embarrassment to me as chairman of the committee.

Mr. STONE. Mr. President, so far as I am concerned, I have said all that I care to say with respect to the exceptions made in the bill and proposed in the amendment to the so-called literacy test. If I find opportunity to do so, I should like to occupy a short time—comparatively, at least—of the time of the Senate to express some views I have as against the literacy test in its larger application, whether these exceptions are made or not; but I can not do so now, and I may not have an opportunity to do so at all, as it is my purpose to leave the city on Sunday, and I will not return until after the holiday recess.

Mr. SMITH of South Carolina. I will ask the Senator the direct question—of course, he can answer it or not, as he sees fit—would he object to fixing a date certain if, in his judgment, that would give ample opportunity?

Mr. STONE. I shall not object.

Mr. SMITH of South Carolina. Then, Mr. President—

Mr. STONE. The Senator can not make a request for unanimous consent without the presence of a quorum, and I am afraid if the Senator calls for a quorum now we will not be able to secure an executive session.

Mr. SMITH of South Carolina. Then, Mr. President, in view of the fact that it is late, and an executive session is desired, I will simply state, so that I will not take anyone at a disadvantage, that to-morrow morning, immediately upon the conclusion of the routine morning business, I shall make an effort to have a day certain fixed upon which this bill may reach its final termination.

Mr. STONE. Why not say at the next session of the Senate the request will be made?

Mr. SWANSON. Let the Senator give notice that at the next session of the Senate he will make that request.

Mr. SMITH of South Carolina. I have given all the notice necessary. Do I understand from the Senator from Missouri that it is the desire of those having executive matters in hand that there shall be an executive session at this time?

Mr. STONE. A number of nominations have been sent in which I think we ought to have referred to the proper committees, and there are some nominations pending which I think we might have acted upon. It will only take a short time, and I have no objection to the Senate going back into legislative session if the Senator wishes, although the hour is late.

Mr. SMITH of South Carolina. Mr. President, as a matter of course, I have no desire to annoy Senators, and yet I am charged on the floor of the Senate at least with responsibility for this bill, and I am going to use every method in my power to keep it continuously before the Senate until it is finally disposed of. In doing so I think I will have the cooperation and the justification of every right-thinking Senator. As we are about to go into

executive session, I presume the bill will be automatically temporarily laid aside pending the next session of the Senate.

PROPOSED CONSIDERATION OF THE CALENDAR.

Mr. KERN. Mr. President, I desire to give notice to Senators, on both sides of the Chamber of course, that on next Monday afternoon I shall make the necessary motion for an evening session of the Senate next Monday night for the purpose of considering the calendar.

EXECUTIVE SESSION.

Mr. STONE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and (at 4 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Saturday, December 19, 1914, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate December 18, 1914.

SECRETARY OF LEGATION.

Willing Spencer, of Pennsylvania, now secretary of the legation at Caracas, to be secretary of the legation of the United States of America at Panama, Panama, vice William P. Cresson.

RECEIVER OF PUBLIC MONIES.

Perry M. Colson, of Gainesville, Fla., to be receiver of public moneys at Gainesville, Fla., vice Shields Warren, term expired.

REGISTER OF LAND OFFICE.

Robert W. Davis, of Gainesville, Fla., to be register of the land office at Gainesville, Fla., vice Henry S. Chubb, term expired.

POSTMASTERS.

ALABAMA.

Leslie Booker to be postmaster at Phoenix, Ala., in place of William T. Hogan. Incumbent's commission expired December 16, 1914.

Joseph S. McCain to be postmaster at Lineville, Ala., in place of John R. McCain, resigned.

Barney M. Roberts to be postmaster at Clanton, Ala., in place of Felix O. Dudley. Incumbent's commission expired December 14, 1914.

ARIZONA.

Charles Osborne to be postmaster at Holbrook, Ariz., in place of E. J. Smith, resigned.

ARKANSAS.

I. N. Deadrick to be postmaster at Parkin, Ark. Office became presidential October 1, 1914.

Linn Turley to be postmaster at Forrest City, Ark., in place of Ellis Turley, resigned.

CALIFORNIA.

Ross H. Hille to be postmaster at San Fernando, Cal., in place of Joseph P. Frankhouse. Incumbent's commission expired January 24, 1914.

C. E. Tabler to be postmaster at Parlier, Cal. Office became presidential October 1, 1914.

B. A. Wilson to be postmaster at Los Banos, Cal., in place of Adolphus H. Salau, resigned.

COLORADO.

Andrew V. Sharpe to be postmaster at Fruita, Colo., in place of William T. Brumbaugh, resigned.

CONNECTICUT.

William L. Hanley to be postmaster at Thomaston, Conn., in place of C. A. Curtiss. Incumbent's commission expired December 13, 1914.

Michael J. Howard to be postmaster at Norwalk, Conn., in place of Elbert S. Adams. Incumbent's commission expired December 13, 1914.

T. J. Kelly to be postmaster at Oakville, Conn., in place of W. C. Hungerford. Incumbent's commission expired June 14, 1914.

Francis J. Kilborn to be postmaster at Washington Depot, Conn., in place of S. Ford Seeley. Incumbent's commission expired December 14, 1914.

W. R. Monroe to be postmaster at Coscob, Conn., in place of Charles W. Munsinger, resigned.

Edward L. Reidy to be postmaster at Winsted, Conn., in place of James P. Glynn, resigned.

William H. Russell to be postmaster at Southport, Conn., in place of W. H. Jennings. Incumbent's commission expired May 19, 1914.

Thomas F. Ryan to be postmaster at Litchfield, Conn., in place of Rudolph Karl. Incumbent's commission expired June 14, 1914.

William P. Stone to be postmaster at Salisbury, Conn., in place of W. P. Everts. Incumbent's commission expired December 13, 1914.

DELAWARE.

Frederick L. Willey to be postmaster at Bridgeville, Del., in place of George B. Ruos. Incumbent's commission expired December 14, 1914.

FLORIDA.

Milton D. Bell to be postmaster at Inverness, Fla., in place of H. L. Cubberly. Incumbent's commission expired December 14, 1914.

GEORGIA.

W. H. Bennett to be postmaster at Tifton, Ga., in place of E. C. Tift. Incumbent's commission expired December 14, 1914.

James L. Brown to be postmaster at Greensboro, Ga., in place of W. M. Bryant. Incumbent's commission expired April 21, 1914.

James S. Francis to be postmaster at Conyers, Ga., in place of J. T. A. McCollum. Incumbent's commission expired December 14, 1914.

James J. Gordy to be postmaster at Richland, Ga., in place of James J. Gordy. Incumbent's commission expired December 16, 1914.

Robert L. Horne to be postmaster at Ludowici, Ga., in place of Robert L. Horne. Incumbent's commission expired April 12, 1914.

E. H. McGehee to be postmaster at Talbotton, Ga., in place of William O. De Loache, removed.

HAWAII.

Otto F. Heine to be postmaster at Lahaina, Hawaii, in place of Moses D. K. Keokokalole, not commissioned.

Henry K. Plemer to be postmaster at Waialua, Hawaii, in place of H. H. Plemer, resigned.

IDAHO.

William T. Roberts to be postmaster at Bellevue, Idaho, in place of Emma L. Reed. Incumbent's commission expired February 14, 1914.

Thomas J. Russell to be postmaster at Post Falls, Idaho, in place of Sherman H. Smith. Incumbent's commission expired December 13, 1914.

ILLINOIS.

Ben Campbell Allensworth to be postmaster at Pekin, Ill., in place of Adolph Fehrman. Incumbent's commission expired December 13, 1914.

P. M. Biwer to be postmaster at Lincoln, Ill., in place of T. H. Stokes. Incumbent's commission expires February 6, 1915.

Joseph V. Campeggio to be postmaster at Ladd, Ill., in place of Joseph Campeggio. Incumbent's commission expired March 7, 1914.

John T. Carroll to be postmaster at Toluca, Ill., in place of Dominick Turigliatti, resigned.

I. C. Davidson to be postmaster at Carthage, Ill., in place of Joseph E. Helfrich, removed.

W. H. Hefferan to be postmaster at Rockford, Ill., in place of Howard C. Hilton, resigned.

J. E. Herman to be postmaster at Mounds, Ill., in place of Mark L. Kennedy, removed.

Emil J. Hess to be postmaster at Mendota, Ill., in place of J. G. Reul. Incumbent's commission expired February 18, 1914.

Frederick D. Jay to be postmaster at Elmwood, Ill., in place of Milton H. Spence, resigned.

Charles D. Kuykendall to be postmaster at Grayville, Ill., in place of W. A. Mussett. Incumbent's commission expired February 18, 1914.

Harold M. Oakford to be postmaster at Walnut, Ill., in place of Ira M. White, resigned.

Ralph A. Pate to be postmaster at Glencoe, Ill., in place of Daniel McArthur, resigned.

Richard J. Simmons to be postmaster at Macomb, Ill., in place of William H. Hainline, removed.

Henry A. Stokoe to be postmaster at Farmington, Ill., in place of Sewell P. Wood. Incumbent's commission expired June 2, 1914.

George R. Tilton to be postmaster at Danville, Ill., in place of Clint C. Tilton, resigned.

B. L. Washburn to be postmaster at Carterville, Ill., in place of Luther E. Robertson, deceased.

INDIANA.

Amasa S. Robinson to be postmaster at Monroeville, Ind., in place of George E. Spake, resigned.

James H. Roy to be postmaster at Topeka, Ind., in place of Eva M. Kauffman. Incumbent's commission expired December 13, 1914.

IOWA.

Greenup C. Boston to be postmaster at Malvern, Iowa, in place of Channing C. Baird, deceased.

Ira L. Baffle to be postmaster at Lake Park, Iowa, in place of C. F. Hatch. Incumbent's commission expired December 13, 1914.

N. A. Christensen to be postmaster at Alta, Iowa, in place of C. A. van Buskirk, resigned.

John F. Dalton, jr., to be postmaster at Manson, Iowa, in place of William Springer. Incumbent's commission expired December 13, 1914.

J. J. Glenn to be postmaster at Marengo, Iowa, in place of James C. Dinwiddie. Incumbent's commission expired December 13, 1914.

Henry C. Hastings to be postmaster at Eldon, Iowa, in place of Erastus T. Boland, deceased.

A. F. Jenkins to be postmaster at Russell, Iowa, in place of Harry D. Clinton. Incumbent's commission expired December 14, 1914.

George E. Jennings to be postmaster at Garden Grove, Iowa, in place of W. H. Jennings. Incumbent's commission expired December 14, 1914.

S. T. Jordan to be postmaster at Fonda, Iowa, in place of R. M. Harrison. Incumbent's commission expired December 13, 1914.

W. C. McWilliams to be postmaster at Hedrick, Iowa, in place of John C. Foster. Incumbent's commission expired December 14, 1914.

Emma Nicolay to be postmaster at Postville, Iowa, in place of Arthur S. Burdick. Incumbent's commission expires December 20, 1914.

John O'Rourke to be postmaster at Red Oak, Iowa, in place of George A. Stibbens. Incumbent's commission expired May 18, 1914.

Joseph Peters to be postmaster at Preston, Iowa, in place of Frank E. Tripp, resigned.

Hans Peter N. Rix to be postmaster at Manning, Iowa, in place of C. A. Easterly. Incumbent's commission expired December 13, 1914.

W. C. Swigart to be postmaster at Maquoketa, Iowa, in place of A. M. Phillips, removed.

Herman Toering to be postmaster at Orange City, Iowa, in place of Gerardus L. Van de Steeg. Incumbent's commission expired December 13, 1914.

Lacey A. Wine to be postmaster at Sac City, Iowa, in place of Charles L. Early. Incumbent's commission expired December 13, 1914.

KANSAS.

Wenslow Cipra to be postmaster at Lincoln, Kans., in place of C. M. Heaton, resigned.

Clarence Coulter to be postmaster at Blue Rapids, Kans., in place of Horace C. Lathrop, resigned.

William F. Grosser to be postmaster at Salina, Kans., in place of George M. Hull. Incumbent's commission expired December 13, 1914.

Frank H. Higley to be postmaster at Cawker City, Kans., in place of Curt M. Higley. Incumbent's commission expired December 16, 1914.

Jeremiah M. Hopper to be postmaster at Ness City, Kans., in place of William H. Bondurant, resigned.

John F. Hostetler to be postmaster at Great Bend, Kans., in place of Theodore Griffith. Incumbent's commission expired June 2, 1914.

Lloyd E. Jackson to be postmaster at McPherson, Kans., in place of L. Dallas McMurray. Incumbent's commission expired December 13, 1914.

Allen W. Jones to be postmaster at Minneola, Kans., in place of Edna M. Jeffers. Incumbent's commission expired December 13, 1914.

Joseph J. Keraus to be postmaster at Wakeeney, Kans., in place of Harvey S. Givler. Incumbent's commission expires December 20, 1914.

R. D. McCliman to be postmaster at Seneca, Kans., in place of W. H. Jordan. Incumbent's commission expired December 13, 1914.

Louis C. Orr to be postmaster at Atchison, Kans., in place of W. D. Casey, resigned.

S. T. Osterhold to be postmaster at Holton, Kans., in place of H. C. Tucker. Incumbent's commission expired December 14, 1914.

Nathan E. Reece to be postmaster at Stafford, Kans., in place of Charles G. Webb, resigned.

Thomas J. Ryan to be postmaster at St. Marys, Kans., in place of William H. True. Incumbent's commission expired December 13, 1914.

Henry F. Schmidt to be postmaster at Dodge City, Kans., in place of James A. Arment. Incumbent's commission expired December 13, 1914.

John Wolfert to be postmaster at Downs, Kans., in place of Emma W. McCune. Incumbent's commission expired December 13, 1914.

KENTUCKY.

Robert H. Anderson to be postmaster at Georgetown, Ky., in place of Llewellyn F. Sinclair, resigned.

Edward O. Gooch to be postmaster at Crab Orchard, Ky. Office became presidential October 1, 1914.

Moses Kaufman to be postmaster at Lexington, Ky., in place of Wilbur R. Smith, resigned.

LOUISIANA.

S. B. Hanes to be postmaster at Jena, La., in place of Richard E. Hodges, resigned.

MAINE.

Frank B. Hills to be postmaster at Thomaston, Me., in place of Edward Brown. Incumbent's commission expired December 13, 1914.

John W. Hutchins to be postmaster at Fryeburg, Me., in place of Mary E. Frye. Incumbent's commission expired December 13, 1914.

Joseph A. Kenney to be postmaster at South Paris, Me., in place of Samuel F. Davis. Incumbent's commission expired December 13, 1914.

MARYLAND.

Thomas D. Bowers to be postmaster at Chestertown, Md., in place of M. W. Thomas. Incumbent's commission expired August 4, 1913.

Washington F. Collins to be postmaster at Millington, Md., in place of Rose E. Walls. Incumbent's commission expired January 11, 1913.

Charles Judefind to be postmaster at Rock Hall, Md. Office became presidential October 1, 1914.

Mary W. McKnett to be postmaster at Trappe, Md. Office became presidential October 1, 1914.

MASSACHUSETTS.

John Adams to be postmaster at Provincetown, Mass., in place of Joseph A. West, deceased.

Edward F. Dannahy to be postmaster at Holliston, Mass., in place of Althamer E. Chamberlain. Incumbent's commission expired December 13, 1914.

Daniel A. Donnelly to be postmaster at Walpole, Mass., in place of Julius Guild. Incumbent's commission expired December 13, 1914.

Joseph F. Lapine to be postmaster at Hudson, Mass., in place of G. A. Coolidge. Incumbent's commission expired April 5, 1914.

MICHIGAN.

Horatio J. Abbott to be postmaster at Ann Arbor, Mich., in place of H. G. Prettyman. Incumbent's commission expired December 13, 1914.

Charlie W. Beier to be postmaster at Lenox, Mich. Office became presidential July 1, 1914.

James C. Beckwith to be postmaster at Marshall, Mich., in place of James P. Hughes. Incumbent's commission expired December 13, 1914.

James J. Byers to be postmaster at Houghton, Mich., in place of Ernest J. Dube, deceased.

Powell Brody to be postmaster at Lawton, Mich., in place of Minnie L. Hall. Incumbent's commission expired December 13, 1914.

Patrick Garvey to be postmaster at Hemlock, Mich. Office became presidential October 1, 1914.

Charles E. Hogadone to be postmaster at Grand Rapids, Mich., in place of W. Millard Palmer, removed.

Earl Hunter to be postmaster at Lowell, Mich., in place of C. G. Perry. Incumbent's commission expired December 16, 1914.

Frederick J. Kruger to be postmaster at Centerville, Mich., in place of Edwin L. Clapp, deceased.

John F. McInerney to be postmaster at Wyandotte, Mich., in place of E. N. Clark. Incumbent's commission expired December 14, 1914.

Myron E. Miller to be postmaster at Charlotte, Mich., in place of H. T. McGrath. Incumbent's commission expired December 13, 1914.

Willard R. Noyes to be postmaster at Albion, Mich., in place of A. D. Bangham. Incumbent's commission expired December 13, 1914.

Patrick H. Schannen to be postmaster at Chassell, Mich. Office became presidential October 1, 1914.

Charles J. Tarte to be postmaster at Marine City, Mich., in place of Charles L. Doyle, removed.

W. L. Tinnam to be postmaster at Northville, Mich., in place of M. N. Johnson. Incumbent's commission expired December 14, 1914.

F. Raymond Wallbrecht to be postmaster at Central Lake, Mich., in place of Arthur J. Gibson. Incumbent's commission expired December 14, 1914.

MINNESOTA.

S. G. Anderson, jr., to be postmaster at Hutchinson, Minn., in place of Kee Wakefield. Incumbent's commission expired June 2, 1914.

Chauncey W. Bulen to be postmaster at Walnut Grove, Minn., in place of D. A. Malloy. Incumbent's commission expired December 14, 1914.

John Butler to be postmaster at Lesueur Center, Minn., in place of J. H. Smullen. Incumbent's commission expired February 15, 1914.

J. B. Connors to be postmaster at Hibbin, Minn., in place of T. J. Godfrey. Incumbent's commission expired December 13, 1914.

Charles F. Cook to be postmaster at Austin, Minn., in place of Osman J. Simmons, resigned.

Ruth S. Driscoll to be postmaster at Madison, Minn., in place of J. B. Oadson. Incumbent's commission expired December 13, 1914.

J. F. McDonnell to be postmaster at Waverly, Minn., in place of A. E. Learned. Incumbent's commission expired December 13, 1914.

Henry J. Schaefer to be postmaster at Albany, Minn., in place of J. B. Pallansch, resigned.

Oscar T. Stromme to be postmaster at Elbow Lake, Minn., in place of J. S. Jacobson, resigned.

MISSISSIPPI.

Mattie B. Catchings to be postmaster at Georgetown, Miss. Office became presidential October 1, 1914.

A. C. Fant to be postmaster at Macon, Miss., in place of H. N. Scales. Incumbent's commission expired June 14, 1914.

Frank L. Ratliff to be postmaster at Shaw, Miss., in place of Frank L. Ratliff. Incumbent's commission expired December 13, 1914.

Nannie Stuart to be postmaster at Morton, Miss. Office became presidential October 1, 1914.

MISSOURI.

James H. Campbell to be postmaster at Higginsville, Mo., in place of Melvin C. James. Incumbent's commission expired December 13, 1914.

W. N. Collins to be postmaster at Kansas City, Mo., in place of Joseph H. Harris, resigned.

William A. Crow to be postmaster at Humansville, Mo., in place of James A. Ham. Incumbent's commission expired December 13, 1914.

William S. Dray to be postmaster at Savannah, Mo., in place of John D. Kerr, removed.

M. H. Estill to be postmaster at King City, Mo., in place of G. L. Miller. Incumbent's commission expired December 13, 1914.

Eugene M. Goodwin to be postmaster at Odessa, Mo., in place of De Forest Spore. Incumbent's commission expired December 13, 1914.

Grover C. Gresham to be postmaster at Parkville, Mo., in place of W. H. Luthy. Incumbent's commission expired December 13, 1914.

J. C. Hall to be postmaster at Kearney, Mo., in place of G. W. Riddle. Incumbent's commission expired December 13, 1914.

Francis A. Howard to be postmaster at Slater, Mo., in place of E. T. Alexander. Incumbent's commission expired December 13, 1914.

Edgar R. Idol to be postmaster at Pleasant Hill, Mo., in place of G. M. Dallas. Incumbent's commission expired December 14, 1914.

James R. Lowell to be postmaster at Moberly, Mo., in place of L. W. Kelly. Incumbent's commission expired December 15, 1914.

Louis P. Kern to be postmaster at Sainte Genevieve, Mo., in place of Andrew J. Siebert, resigned.

R. N. Owsley to be postmaster at Windsor, Mo., in place of A. H. Cole. Incumbent's commission expired December 13, 1914.

Edwin Reavis to be postmaster at Sweet Springs, Mo., in place of J. J. Smith. Incumbent's commission expired December 13, 1914.

Charles A. Stoner to be postmaster at Ridgeway, Mo., in place of George E. Melvin, deceased.

Charles L. Welden to be postmaster at Maysville, Mo., in place of E. H. Brant. Incumbent's commission expired December 13, 1914.

MONTANA.

Ephraim E. Hackett to be postmaster at Victor, Mont., in place of Joseph Appolonio, resigned.

NEBRASKA.

Francis W. Brown to be postmaster at Lincoln, Nebr., in place of E. R. Sizer. Incumbent's commission expired April 20, 1914.

Frederick A. Mellberg to be postmaster at Newman Grove, Nebr., in place of Carelius K. Olson, resigned.

NEW JERSEY.

Charles E. Crane to be postmaster at Clayton, N. J., in place of J. W. Dooling. Incumbent's commission expires December 20, 1914.

Harry F. Hinchman, jr., to be postmaster at Convent Station, N. J., in place of W. A. Scott. Incumbent's commission expires December 19, 1914.

Edward W. Walker to be postmaster at Cranbury, N. J., in place of J. S. Bergen. Incumbent's commission expired December 14, 1914.

NEW YORK.

Allen S. Brower to be postmaster at Woodmere, N. Y., in place of W. D. Burtis. Incumbent's commission expired December 16, 1914.

Thomas J. Courtney to be postmaster at Garden City, N. Y., in place of Clara Doughty. Incumbent's commission expired January 17, 1914.

William J. Ferrick to be postmaster at Chappaqua, N. Y., in place of J. Mailler Hunt, resigned.

William M. Heaney to be postmaster at Cold Spring Harbor, N. Y., in place of W. S. Keene. Incumbent's commission expired June 22, 1914.

Daniel F. Shea to be postmaster at Jamaica, N. Y., in place of W. B. Ashmead. Incumbent's commission expires February 8, 1915.

NORTH CAROLINA.

Robert V. Brawley to be postmaster at Statesville, N. C., in place of D. L. Raymer. Incumbent's commission expired December 15, 1914.

David T. Clark to be postmaster at Weldon, N. C., in place of J. O. Burton. Incumbent's commission expired April 21, 1914.

Mary H. Osborn to be postmaster at Oxford, N. C., in place of C. D. Osborn, deceased.

John H. Wilson to be postmaster at Sylva, N. C. Office became presidential October 1, 1914.

NORTH DAKOTA.

Marjorie J. Bloom to be postmaster at Devils Lake, N. Dak., in place of Richard Daeley. Incumbent's commission expired March 11, 1914.

Carl L. George to be postmaster at Sarles, N. Dak. Office became presidential October 1, 1914.

A. A. J. Lang to be postmaster at Sanborn, N. Dak. Office became presidential October 1, 1914.

Myrtle Nelson to be postmaster at Bowman, N. Dak., in place of William H. Workman, removed.

W. W. Smith to be postmaster at Valley City, N. Dak., in place of William H. Pray, removed.

OHIO.

F. N. Cary to be postmaster at New Richmond, Ohio, in place of F. F. Talley. Incumbent's commission expired June 6, 1914.

Jacob C. Hoch to be postmaster at Spencerville, Ohio, in place of H. M. Ashton. Incumbent's commission expired June 24, 1914.

Jacob E. Mercer to be postmaster at Hicksville, Ohio, in place of Akin M. Richards, removed.

Bernard Sherman to be postmaster at Minster, Ohio, in place of H. Bernard Sherman, resigned.

John L. Shuff to be postmaster at Cincinnati, Ohio, in place of Elias R. Monfort, resigned.

William A. White to be postmaster at Crestline, Ohio, in place of Albert Haworth. Incumbent's commission expired May 24, 1914.

OKLAHOMA.

Clarence G. Dalton to be postmaster at Mounds, Okla., in place of W. H. Blerly. Incumbent's commission expired December 15, 1914.

PENNSYLVANIA.

Lewis W. Bechtel to be postmaster at Stowe, Pa., in place of B. P. Sheeder. Incumbent's commission expired December 14, 1914.

William F. Burchfield to be postmaster at Mifflin, Pa., in place of S. M. McNitt. Incumbent's commission expired December 14, 1914.

Albert E. Eckert to be postmaster at East Stroudsburg, Pa., in place of N. S. Brittain, jr., resigned.

Daniel E. Hanrahan to be postmaster at Hallstead, Pa., in place of W. F. Simrell. Incumbent's commission expired January 24, 1914.

George W. Heffelman to be postmaster at New Cumberland, Pa., in place of Herman Long, removed.

P. G. Katz to be postmaster at Verona, Pa., in place of John McCurdy. Incumbent's commission expired April 19, 1914.

John Kehoe to be postmaster at Pittston, Pa., in place of H. J. Mahon. Incumbent's commission expired March 31, 1914.

Thomas W. Loftus to be postmaster at Archbald, Pa., in place of P. A. Philbin. Incumbent's commission expired April 28, 1914.

James J. McArdle to be postmaster at Nesquehoning, Pa., in place of T. H. Floyd. Incumbent's commission expired June 10, 1914.

Walter James McBeth to be postmaster at Braddock, Pa., in place of C. H. Sheets. Incumbent's commission expired March 22, 1914.

Joseph P. McMahon to be postmaster at Susquehanna, Pa., in place of G. W. Shaeff. Incumbent's commission expired March 22, 1914.

William A. Meehan to be postmaster at Dickson City, Pa. Office became presidential January 1, 1914.

Frank P. Moats to be postmaster at Smithfield, Pa., in place of A. J. Sutton. Incumbent's commission expired April 7, 1914.

John J. Moran to be postmaster at Olyphant, Pa., in place of S. J. Matthews. Incumbent's commission expired April 29, 1914.

James G. Paul to be postmaster at Bradford, Pa., in place of Robert P. Habgood, resigned.

C. K. Spragg to be postmaster at Waynesburg, Pa., in place of A. P. Dickey. Incumbent's commission expired April 1, 1914.

E. H. Sutterley to be postmaster at Morrisville, Pa., in place of G. M. Palmer. Incumbent's commission expired December 13, 1914.

George F. Trout to be postmaster at Stewartstown, Pa., in place of William H. Fulton, deceased.

SOUTH CAROLINA.

John B. O'Neal to be postmaster at Fairfax, S. C. Office became presidential October 1, 1914.

SOUTH DAKOTA.

Demetrious S. Billington to be postmaster at Spearfish, S. Dak., in place of John Bell, resigned.

Linville Miles to be postmaster at Langford, S. Dak., in place of Linville Miles. Incumbent's commission expired January 10, 1914.

TENNESSEE.

G. P. Atchison to be postmaster at Erin, Tenn., in place of Zeph Roby. Incumbent's commission expired December 13, 1914.

J. L. Haynes to be postmaster at Decherd, Tenn., in place of W. H. Shelley. Incumbent's commission expired December 13, 1914.

Kate Penn to be postmaster at Kenton, Tenn., in place of J. P. Penn, deceased.

TEXAS.

Sallie M. Ayres to be postmaster at Frankston, Tex. Office became presidential October 1, 1914.

Samuel H. Bell to be postmaster at Deport, Tex., in place of Wilson I. Lawlor, resigned.

A. H. Buile to be postmaster at Ennis, Tex., in place of A. H. Culver, resigned.

C. J. Debenport to be postmaster at Commerce, Tex., in place of Dallas Harbert, resigned.

Edwin Forrest, jr., to be postmaster at Blum, Tex., in place of E. E. Nelson. Incumbent's commission expires December 19, 1914.

Edmund Herder to be postmaster at Shiner, Tex., in place of Gustave A. Pannewitz, deceased.

E. G. Keese to be postmaster at Stamford, Tex., in place of C. W. Atkins. Incumbent's commission expired December 16, 1914.

C. T. McConico to be postmaster at Kerens, Tex., in place of C. E. Smith. Incumbent's commission expired December 16, 1914.

Bessie L. Rorex to be postmaster at Panhandle, Tex., in place of V. C. Nelson. Incumbent's commission expires December 19, 1914.

Martha A. Smith to be postmaster at Pleasanton, Tex. Office became presidential April 1, 1914.

UTAH.

David Bennion to be postmaster at Vernal, Utah, in place of E. J. Young, jr. Incumbent's commission expired December 13, 1914.

Walter K. Granger to be postmaster at Cedar City, Utah, in place of Charles S. Wilkinson, removed.

VERMONT.

C. A. Burnham to be postmaster at Bristol, Vt., in place of F. G. Haskins. Incumbent's commission expired April 26, 1914.

F. W. Childs to be postmaster at Brattleboro, Vt., in place of Kittredge Haskins. Incumbent's commission expires January 21, 1915.

Martha L. Gilbert to be postmaster at Randolph Center, Vt. Office became presidential April 1, 1914.

Patrick M. Meldon to be postmaster at Rutland, Vt., in place of George F. Pease. Incumbent's commission expired December 13, 1914.

George W. Pierce to be postmaster at Lyndonville, Vt., in place of J. M. Le Bourveau. Incumbent's commission expired June 24, 1914.

Hugh A. Sherlock to be postmaster at South Royalton, Vt., in place of P. S. Belknap. Incumbent's commission expired December 13, 1914.

VIRGINIA.

A. B. Buchanan to be postmaster at Tazewell, Va., in place of William C. Pendleton, resigned.

Carroll C. Chowning to be postmaster at Urbanna, Va. Office became presidential October 1, 1914.

John W. Kellam to be postmaster at Onley, Va. Office became presidential July 1, 1914.

J. William Sibert to be postmaster at Winchester, Va., in place of G. H. Kinzel, deceased.

William G. Stevenson to be postmaster at Accomac, Va. Office became presidential October 1, 1914.

WASHINGTON.

Hugh A. Nolan to be postmaster at Everett, Wash., in place of J. M. Vernon. Incumbent's commission expired May 2, 1914.

George D. Shannon to be postmaster at Anacortes, Wash., in place of V. J. Knapp. Incumbent's commission expired April 15, 1913.

WEST VIRGINIA.

William W. Irwin to be postmaster at Wheeling, W. Va., in place of A. H. Wiedebusch, deceased.

Charles Lively to be postmaster at Weston, W. Va., in place of Richard A. Hall, resigned.

WISCONSIN.

William Alexander to be postmaster at Hayward, Wis., in place of H. P. Fuley. Incumbent's commission expired May 31, 1914.

Robert A. Grignon to be postmaster at Suring, Wis. Office became presidential October 1, 1914.

Edward Lowth to be postmaster at Wisconsin Veterans Home, Wisconsin. Office became presidential October 1, 1914.

John A. Stewart to be postmaster at Seymour, Wis., in place of Francis R. Dittmer, resigned.

WYOMING.

A. W. Coons to be postmaster at Basin, Wyo., in place of William Gibson. Incumbent's commission expired December 13, 1914.

W. A. Johnson to be postmaster at Green River, Wyo., in place of William Rogers. Incumbent's commission expired December 14, 1914.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 18, 1914.

CONSUL.

Thomas B. L. Layton to be consul at Tahiti, Society Islands.

UNITED STATES MARSHAL.

John Hugh Kirkpatrick to be United States marshal for the western district of Louisiana.

RECEIVER OF PUBLIC MONEYS.

Perry M. Colson to be receiver of public moneys at Gainesville, Fla.

REGISTER OF THE LAND OFFICE.

Robert W. Davis to be register of the land office at Gainesville, Fla.

PROMOTIONS IN THE NAVY.

Lieut. Commander Daniel W. Wurtzbaugh to be a commander.

Lieut. Commander Ralph Earle to be a commander.

Ensign Ralph E. Sampson to be a lieutenant (junior grade).

Machinist Axel V. Kettels to be a chief machinist.

Lieut. (Junior Grade) Robert T. S. Lowell to be a lieutenant.

Lieut. (Junior Grade) Clyde R. Robinson to be a lieutenant.

REJECTION.

Executive nomination rejected by the Senate December 18, 1914.

POSTMASTER.

W. N. Collins to be postmaster at Kansas City, Mo.

HOUSE OF REPRESENTATIVES.

FRIDAY, December 18, 1914.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou eternal and ever-living God, our heavenly Father, we bless Thy holy name that Thou hast not left us in this world alone to grope in darkness, but that the light of Thy presence is round about us shining in and through us to illumine our minds, cleanse our hearts, upholding, sustaining, guiding us to right thinking and clean living. That for every tear there are a thousand smiles; for every sorrow a thousand joys; for every crime a thousand noble, generous deeds; for every low and selfish desire a thousand glorious aspirations. That the star of love is in the ascendancy leading us onward and upward. Continue, we beseech Thee, Thy presence and help us to do Thy will, and Thine be the praise forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

THE LATE HON. ROBERT G. BREMNER.

Mr. DRUKKER. Mr. Speaker, I ask unanimous consent for the present consideration of the order which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the order.

The Clerk read as follows:

Ordered, That Sunday, January 24, 1914, be set apart for addresses on the life, character, and public services of Hon. ROBERT G. BREMNER, late a Representative from the State of New Jersey.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS.

Mr. MOORE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, the subject being the "Colombian viewpoint of the Panama treaty situation."

The SPEAKER. The gentleman from Pennsylvania [Mr. MOORE] asks unanimous consent to extend his remarks in the RECORD, the subject being the "Colombian viewpoint of the Panama treaty situation." Is there objection? [After a pause.] The Chair hears none.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed the following resolutions:

Resolved, That the Senate has heard with profound sorrow of the death of the Hon. AUGUSTUS OCTAVIUS BACON, late a Senator from the State of Georgia.

Resolved, That as a mark of respect to the memory of the deceased the business of the Senate be now suspended to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

The SPEAKER. The unfinished business is the bill H. R. 19909, the legislative, executive, and judicial appropriation bill, and when the House adjourned the gentleman from Tennessee [Mr. BYRNS] had asked for a separate vote on the Good amendment, which the Clerk will report.

Mr. JOHNSON of South Carolina. Mr. Speaker, I ask for a separate vote on amendment No. 1.

The SPEAKER. The gentleman from South Carolina asks for a separate vote on amendment No. 1. Is a separate vote demanded on any other amendment? If not, the Chair will put them in gross.

The question was taken, and the other amendments were agreed to.

The SPEAKER. The Clerk will report amendment No. 1.

Mr. GARNER. Mr. Speaker, I desire to submit a point of order to the Chair with reference to the so-called Good amendment.

The SPEAKER. This first amendment is another amendment.

Mr. GARNER. Then I will reserve it.

The Clerk read as follows:

Strike out on page 2 the paragraph beginning with line 4 and ending with line 10 and substitute the following:

"That in lieu of all mileage each Senator, Representative, Delegate, or Resident Commissioner shall be allowed his actual traveling expenses for himself and the dependent members of his family in coming from and returning to his home at each session of Congress."

The question was taken, and the Speaker announced the ayes seemed to have it.

Mr. JOHNSON of South Carolina. Mr. Speaker, I ask for a division.

The House divided; and there were—ayes 46, noes 36.

Mr. JOHNSON of South Carolina. Mr. Speaker, I ask for the yeas and nays.

Mr. DONOVAN and Mr. SAUNDERS. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The Chair will count.

Mr. DONOVAN. Mr. Speaker, I withdraw the point of order.

Mr. JOHNSON of South Carolina. Mr. Speaker, I renew it.

Mr. SAUNDERS. Mr. Speaker, I made the point of order that there was no quorum present, and I did not withdraw it.

The SPEAKER. The gentleman from Connecticut made the point of order—

Mr. SAUNDERS. I made it myself, and I did not withdraw it.

The SPEAKER. Certainly the gentleman from Connecticut made it, because the Chair recognized him.

Mr. SAUNDERS. But, Mr. Speaker, I sought recognition, and I make it now. I thought I had done so before.

The SPEAKER. All right. Evidently there is no quorum present.

Mr. SISSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SISSON. In the vote about to be taken a vote of "aye" votes for the expenses of the Member and his family and a vote of "no" is for 5 cents?

The SPEAKER. The vote which is about to be taken is to ascertain whether a quorum is here, which necessitates a double roll call.

Mr. SISSON. The point I desire to get at is in reference to the yea-and-nay vote. I do not know the parliamentary status.

Mr. MANN. It is an automatic roll call.

Mr. SAUNDERS. I made the point of order to avoid a roll call which did not give a vote. It is an automatic call of the House.

The SPEAKER. It is an automatic call of the House, and the Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

Mr. SISSON. Mr. Speaker—

The SPEAKER. The Chair will answer the gentleman's parliamentary inquiry if he will state it.

Mr. SISSON. I asked the Speaker this question: If a vote of "aye" votes for the amendment offered by the gentleman from Texas [Mr. HARDY] to pay the Member mileage and that of the dependent members of his family, and if a vote of "no" is for the 5 cents a mile? Is that the parliamentary status?

Mr. GARNER. Mr. Speaker, let us see if it can not be stated a little clearer, if the gentleman from Mississippi will permit.

Mr. SISSON. I want to find out myself, if the gentleman will state it, what the parliamentary status is.

Mr. GARNER. A vote of "aye" is in favor of the so-called Hardy amendment, which provides for the actual expenses of a Member and his dependent family. A vote of "nay" is in favor of 5 cents a mile, as contained in the bill. Is that correct?

The SPEAKER. If that is a correct statement of what is contained in the bill—

Mr. GARNER. It is.

The SPEAKER (continuing). A vote "yea" means that you adopt that.

Mr. JOHNSON of South Carolina. That is what is in the bill.

The SPEAKER. The expense account. The other one is the 5-cent provision.

Mr. BUCHANAN of Illinois. Mr. Speaker—
The SPEAKER. For what purpose does the gentleman from Illinois rise?

Mr. BUCHANAN of Illinois. I am trying to find out what this means. I do not understand this leaves it at 5 cents a mile if you defeat this amendment.

The SPEAKER. The bill reported 5 cents a mile.

Mr. BUCHANAN of Illinois. That has not been adopted, has it?

The SPEAKER. It stands in the bill.

Mr. DONOVAN. Mr. Speaker, as I understand the parliamentary situation, the 5 cents a mile was defeated. The provision for the expenses of the Member and members of his family was carried. If this is defeated, if we go along the proceedings of the other day, we take up then the vote on no mileage. That was the situation the other day.

The SPEAKER. All the Chair knows about what happened in the Committee of the Whole is the report of the Chairman of the Committee of the Whole, and he reported back that the committee had directed him to report this bill with sundry amendments, with the recommendation to vote for the amendments and the bill.

Mr. FOSTER. Mr. Speaker, if I may be allowed to state the proposition, as it was originally reported by the committee it was 5 cents a mile. While there was a point of order made by the gentleman from Washington [Mr. HUMPHREY], it was overruled; and an amendment offered by the gentleman from Texas [Mr. HARDY] to substitute in place of that the actual traveling expenses of Members and dependent members of their families was adopted, and that is now before the House.

Mr. MANN. That was a motion to strike out and insert.

Mr. FOSTER. A motion to strike out and insert.

Mr. MANN. If that does not carry, it remains as it was in the bill.

Mr. FOSTER. So that if the amendment is voted down, it remains at 5 cents; but if adopted, it means the actual expenses to the Member and the dependent members of his family.

The SPEAKER. Those who are in favor of actual expenses will vote "yea," and those in favor of 5 cents a mile will vote "nay." And if you are not in favor of either one of them—well, vote as you please. [Laughter.] The Clerk will call the roll.

The question was taken; and there were—yeas 171, nays 160, answered "present" 1, not voting 96, as follows:

YEAS—171.

Abercrombie	Doolittle	Johnson, Utah	Parker, N. J.
Adair	Doremus	Johnson, Wash.	Patton, Pa.
Allen	Drukker	Kahn	Peters
Anderson	Dupré	Kelster	Plumley
Anthony	Edmonds	Kelley, Mich.	Powers
Aswell	Edwards	Kennedy, R. I.	Prouty
Avils	Estopinal	Kent	Rainey
Baker	Fergusson	Kettner	Roberts, Mass.
Barnhart	Ferris	Key, Ohio	Roberts, Nev.
Barnhardt	FitzHenry	Kinkaid, Nebr.	Sabath
Barton	Fordney	Kirkpatrick	Sherley
Bell, Cal.	Fowler	Knowland, J. R.	Sherwood
Blackmon	French	Kreider	Sinnott
Brodbeck	Gallagher	Lafferty	Sloan
Broussard	Gallivan	La Follette	Smith, Idaho
Brown, N. Y.	Gardner	Langham	Smith, J. M. C.
Browne, Wis.	Gill	Langley	Smith, Minn.
Browning	Gillett	Lazaro	Smith, Tex.
Bryan	Gilmore	Lee, Ga.	Stanley
Buchanan, Ill.	Good	Lenroot	Steenerson
Burke, Pa.	Goulden	Levy	Stephens, Cal.
Burke, S. Dak.	Gray	Lieb	Stephens, Nebr.
Butler	Green, Iowa	Lindquist	Stevens, Minn.
Campbell	Greene, Mass.	Linthicum	Stringer
Cantor	Greene, Vt.	McGillicuddy	Sutherland
Carlin	Griest	McKenzie	Switzer
Carr	Gudger	McLaughlin	Talcott, N. Y.
Carter	Hamilton, Mich.	Madden	Tavener
Cary	Hardy	Manahan	Taylor, Colo.
Church	Hausen	Mann	Temple
Cline	Hawley	Mapes	Ten Eyck
Conry	Hayes	Miller	Thomson, Ill.
Cooper	Helgesen	Mondell	Townner
Copley	Helvering	Moore	Treadway
Curry	Henry	Morgan, Okla.	Tribble
Danforth	Hills	Morrison	Volstead
Davenport	Hinds	Moss, Ind.	Walker
Davis	Howell	Moss, W. Va.	Walters
Decker	Hughes, W. Va.	Neely, W. Va.	Williams
Dent	Hulings	O'Leary	Winslow
Dershem	Humphrey, Wash.	Palmer	Woodruff
Dillon	Humphreys, Miss.	Park	Young, N. Dak.
Donohoe	Johnson, Ky.		

NAYS—160.

Adamson	Booher	Byrnes, S. C.	Collier
Aiken	Borchers	Byrns, Tenn.	Connolly, Iowa
Alexander	Borland	Callaway	Cox
Austin	Bowdle	Candler, Miss.	Cramton
Bailey	Brockson	Caraway	Crisp
Barkley	Buchanan, Tex.	Casey	Crosser
Bartlett	Burgess	Clancy	Cullop
Beakes	Burke, Wls.	Clark, Fla.	Dickinson
Bell, Ga.	Burnett	Coady	Dies

Dixon	Helm	Murray	Sparkman
Donovan	Hensley	Nelson	Stafford
Doughton	Hobson	Norton	Stedman
Esch	Holland	Oglesby	Stephens, Miss.
Evans	Houston	Oldfield	Stephens, Tex.
Falconer	Howard	O'Shaunessy	Stevens, N. H.
Farr	Hoxworth	Padgett	Stone
Fess	Hughes, Ga.	Page, N. C.	Stout
Fields	Hull	Peterson	Sumners
Finley	Igoe	Phelan	Taggart
Fitzgerald	Jacoway	Post	Taylor, Ala.
Flood, Va.	Johnson, S. C.	Pou	Taylor, Ark.
Floyd, Ark.	Keating	Quin	Thacher
Foster	Kelly, Pa.	Raker	Thomas
Frear	Kennedy, Iowa	Rauch	Thompson, Okla.
Gard	Kitchin	Rayburn	Underhill
Garner	Leshner	Reilly, Conn.	Underwood
Garrett, Tex.	Lever	Reilly, Wis.	Vaughan
Gerry	Lindbergh	Rogers	Vinson
Goeke	Lloyd	Roose	Vollmer
Goodwin, Ark.	Lobeck	Rubey	Watkins
Gordon	Lonergan	Rucker	Watson
Graham, Ill.	McKellar	Rupley	Weaver
Griffin	MacDonald	Russell	Webb
Hamlin	Maguire, Nebr.	Saunders	Whaley
Hammond	Mahan	Scott	White
Harris	Mitchell	Shackelford	Willis
Harrison	Montague	Sisson	Wingo
Hay	Moon	Slayden	Witherspoon
Hayden	Morgan, La.	Smith, Md.	Woods
Heflin	Mulkey	Smith, N. Y.	Young, Tex.

ANSWERED "PRESENT"—1.

Korbly.

NOT VOTING—96.

Ainey	Eagan	Kinkead, N. J.	Porter
Ansberry	Eagle	Konop	Price
Ashbrook	Elder	Lee, Pa.	Ragsdale
Baltz	Fairchild	L'Engle	Reed
Barchfeld	Falson	Lewis, Md.	Riordan
Bathrick	Francis	Lewis, Pa.	Rothermel
Beall, Tex.	Garrett, Tenn.	Loft	Scully
Britten	George	Logue	Seldomridge
Brown, W. Va.	Gittins	McAndrews	Sells
Bruckner	Glass	McClellan	Shreve
Brumbaugh	Godwin, N. C.	McGuire, Okla.	Sims
Bulkley	Goldfogle	Maher	Slemp
Calder	Gorman	Martin	Small
Cantrill	Graham, Pa.	Metz	Smith, Saml. W.
Carew	Gregg	Morin	Talbot, Md.
Chandler, N. Y.	Guernsey	Mott	Taylor, N. Y.
Claypool	Hamill	Murdoch	Townsend
Connelly, Kans.	Hamilton, N. Y.	Neeley, Kans.	Tuttle
Dale	Hart	Nolan, J. I.	Vare
Deitrick	Hinebaugh	O'Brien	Wallin
Difenderfer	Jones	O'Hair	Walsh
Dooling	Kennedy, Conn.	Parker, N. Y.	Whitacre
Driscoll	Kless, Pa.	Patten, N. Y.	Wilson, Fla.
Dunn	Kindel	Platt	Wilson, N. Y.

So the amendment offered by Mr. HARDY was agreed to.

The Clerk announced the following pairs:

Mr. DALE with Mr. MARTIN.

Mr. GARRETT of Tennessee with Mr. HAMILTON of New York.

Mr. McANDREWS with Mr. PORTER.

Mr. PATTEN of New York with Mr. SELLS.

Mr. RIORDAN with Mr. WALLIN.

Mr. SCULLY with Mr. SHREVE.

Mr. SMALL with Mr. VARE.

Mr. GODWIN of North Carolina with Mr. PARKER of New York.

Mr. WILSON of Florida with Mr. FAIRCHILD.

Mr. TALBOTT of Maryland with Mr. SAMUEL W. SMITH.

Mr. LEE of Pennsylvania with Mr. PLATT.

Mr. KONOP with Mr. MORIN.

Mr. JONES with Mr. McGUIRE of Oklahoma.

Mr. HART with Mr. LEWIS of Pennsylvania.

Mr. HAMILL with Mr. KLESS of Pennsylvania.

Mr. GREGG with Mr. GUERNSEY.

Mr. GLASS with Mr. SLEMP.

Mr. EAGLE with Mr. GRAHAM of Pennsylvania.

Mr. EAGAN with Mr. DUNN.

Mr. DRISCOLL with Mr. CALDER.

Mr. CONNELLY of Kansas with Mr. BRITTEN.

Mr. CANTRILL with Mr. AINEY.

Mr. ASHBROOK with Mr. BARCHFELD.

Mr. LEWIS of Maryland with Mr. MOTT.

Mr. POUL. Mr. Speaker, I desire to vote "no."

The SPEAKER. The Chair does not believe that under the rules the gentleman from North Carolina has the right to vote, but the Clerk will call his name, and the Chair will study the matter out.

The Clerk called the name of Mr. Pou, and he answered "nay."

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors. The Clerk will report the next amendment.

The Clerk read as follows.

Page 119, line 12, insert: "That section 31 of the act approved July 2, 1909, is hereby repealed."

Mr. GARNER rose.

The SPEAKER. For what purpose does the gentleman from Texas rise?

Mr. GARNER. To make a point of order.

The SPEAKER. The gentleman will state it.

Mr. GARNER. To submit a point of order. I make the point of order, Mr. Speaker, that this amendment, never having been adopted by the Committee of the Whole House on the state of the Union, and never having been reported by the Chairman of the Committee of the Whole House on the state of the Union which had this bill under consideration, is not before the House of Representatives for consideration; and in support of that statement, Mr. Speaker, I want to refer the Speaker to the RECORD, on page 328.

Mr. LENROOT rose.

The SPEAKER. For what purpose does the gentleman from Wisconsin rise?

Mr. LENROOT. To make the point of order that the Chair can not entertain this point of order under the rules of the House; and on that I wish to be heard. It may affect the question of the merits as to the right of the Chair to entertain the point of order at all. On that I wish to be heard.

The SPEAKER. You can not have two points of order pending at once; but the Chair believes that the point raised by the gentleman from Wisconsin takes precedence over the other.

Mr. GARNER. I will retire, then, until my friend gets through.

The SPEAKER. The gentleman from Wisconsin will proceed.

Mr. LENROOT. Mr. Speaker, the point of order that I make is that the Speaker can not entertain a point of order on the grounds named by the gentleman from Texas, and upon that I desire to cite to the Chair section 6932 of Hinds' Precedents.

The SPEAKER. What volume?

Mr. LENROOT. Volume 5.

The SPEAKER. Section 6932?

Mr. LENROOT. Yes; and the following sections, 6933 and 6934.

The SPEAKER. The gentleman will proceed.

Mr. LENROOT. I read from—

6932. The Speaker declines to entertain points of order as to conditions alleged to have existed in Committee of the Whole when the report has made no mention thereof. On January 26, 1889, the Committee of the Whole House on the state of the Union rose, and, the Speaker having resumed the chair, the Chairman reported that the Committee of the Whole, having had under consideration the bill (H. R. 10419) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, had directed him to report the same back with an amendment in the form of a substitute.

Mr. William P. Hepburn, of Iowa, rising to a point of order, said: "I desire to say that the provisions of the bill making separate and distinct appropriations have not been considered in the Committee of the Whole, and no vote has been taken upon any provision appropriating a specific sum of money."

Raising identically the same question that the gentleman from Texas [Mr. GARNER] now raises. Mr. Hepburn proceeds:

"Before the Committee of the Whole had proceeded beyond the consideration of the eighth line, before any subsequent paragraph had been read, this amendment was offered, and against objection a vote upon it was forced prior to the taking of any vote upon any one of the subsequent provisions of the bill. I make the point of order that the vote can not be taken upon the adoption of this substitute until the provisions of the bill have been separately read and considered in the Committee of the Whole."

The Speaker held:

"Of course the House has nothing before it, and the Chair has nothing before him except the report of the Committee of the Whole House on the state of the Union. The facts stated by the gentleman from Iowa [Mr. Hepburn], if they be facts, might constitute a good reason for the recommittal of the bill by the House to the Committee of the Whole. But the Chair must deal with the report as presented. The bill is out of the Committee of the Whole and in the House by the action of the committee, which the Chair can not revise or overrule in any manner. The point of order is not sustained."

Again:

6933. On March 14, 1902, after the Committee of the Whole House on the state of the Union had risen and the Chairman reported favorably several bills, and before action on the bills had been taken by the House, Mr. Francis W. Cushman, of Washington, rising to a parliamentary inquiry, said:

"I will ask if it is in order to challenge the correctness of the statement made by the Chairman of the Committee of the Whole House to the Speaker? I raise the point that no vote was taken in the Committee of the Whole ordering the committee to rise and report those bills to the House."

Again a question squarely analogous to the question now presented. I read:

The Speaker said:

"The gentleman from Washington will readily see that the Chair can not hold a court of inquiry as to the action of the Committee of the Whole House on the state of the Union. That is a matter that the House only knows from the report of its Chairman. The Clerk will report the first bill."

Again:

6934. On December 10, 1877, the House having been in Committee of the Whole House on the state of the Union, and having considered

the President's message, rose and reported that they had come to no resolution thereon.

The SPEAKER. The Chair will not bother the gentleman from Wisconsin for any more authorities. If the gentleman from Texas [Mr. GARNER] has any, the Chair will hear him.

Mr. MANN. Mr. Speaker, just a word as to the question of fact. When the committee rose last night and reported the bill back to the House, the Chairman reported the bill with sundry amendments. The amendments were not specified by the Chair. They never are. How do we obtain the record as to what amendments were agreed to in Committee of the Whole? We rely upon the amendments in the possession of the reading clerk of the House. Now, when the bill was reported back last night the Speaker asked if a separate vote was demanded on any amendment. One of the Members asked for a separate vote on the Good amendment, and this morning the Speaker directed the Clerk to report the Good amendment. It was reported in fact by the reading clerk, who possesses the records of the House and the Committee of the Whole, as an amendment agreed to by the Committee of the Whole. The Speaker can not take the word of a Member of the House that such an amendment was not agreed to, because the record shows that the amendment was agreed to, was reported to the House, and in fact it has been actually reported to the House this morning. There is no going behind the returns.

Mr. GARNER. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. GARNER. The gentleman is in error. The RECORD not only does not show that the amendment was agreed to, but it shows that it was not. The Clerk, who read that portion of the bill at the time it was under consideration, says it was not agreed to. If you can get a better record than the CONGRESSIONAL RECORD and the Clerk himself, I do not know how you can get it.

Mr. MANN. The gentleman now seeks to appeal to the CONGRESSIONAL RECORD. The records of the House show that the amendment was agreed to. What would be the situation if the gentleman's contention should be upheld, that the Chairman of the Committee of the Whole did not perform his duty, that the Committee of the Whole did not perform its duty? In order to sustain the contention of the gentleman, the Speaker would have to hold that the Committee of the Whole did not know what it was doing, and that the Chairman of that committee did not know what he was doing, and that both violated the rules of the House. The presumption is that they obeyed the rules of the House, and the Clerk has, in fact, reported the amendment as agreed to, and without a decision upholding that there would be chaos in the House.

Mr. BUTLER. Even the Supreme Court could not go behind that.

The SPEAKER. The situation is this: Of course in one sense the Committee of the Whole House on the state of the Union is a fiction, but the Speaker, theoretically, and the House, theoretically, are not supposed to know anything about what happens in the Committee of the Whole, except by the report of the Chairman of that committee and the notes of the Clerk. Now, as a matter of fact, the Speaker sometimes gets hold of some information about what happens in Committee of the Whole, aliunde or de hors the record. I stay in the Hall of the House during the sessions of the Committee of the Whole as much as I can, but I can not stay here very much, because so many Members and other people want to see me. All that the Speaker is supposed to know, and as a matter of fact in this case all that he does know, is that the Chairman of the Committee of the Whole House on the state of the Union reported this bill back with sundry amendments, including this Good amendment, according to the notes of the Clerk, with the recommendation of the committee that the amendments be agreed to and that the bill as amended do pass. If the Speaker should undertake to supervise what is done by the Committee of the Whole, he would never get through with it, and what is a good deal more important, it would work absolute confusion. It so happens that two or three Speakers have ruled practically on this question. The first ruling was cited by the gentleman from Wisconsin [Mr. LENROOT]. The question raised on that occasion was not very dissimilar to this one.

Mr. William P. Hepburn, of Iowa, rising to a point of order, said:

I desire to say that the provisions of the bill making separate and distinct appropriations have not been considered in the Committee of the Whole, and no vote has been taken upon any provision appropriating a specific sum of money. Before the Committee of the Whole had proceeded beyond the consideration of the eighth line, before any subsequent paragraph had been read, this amendment was offered, and against objection a vote upon it was forced prior to the taking of any vote upon any one of the subsequent provisions of the bill. I make the point of order that the vote can not be taken upon the adoption of this

substitute until the provisions of the bill have been separately read and considered in the Committee of the Whole.

Mr. Speaker Carlisle said:

Of course the House now has nothing before it, and the Chair has nothing before him except the report of the Committee of the Whole House on the state of the Union. The facts stated by the gentleman from Iowa [Mr. Hepburn], if they be facts, might constitute a good reason for the recommitment of the bill by the House to the Committee of the Whole.

That is the remedy he seemed to suggest.

But the Chair must deal with the report as presented. The bill is out of the Committee of the Whole and in the House by the action of the committee, which the Chair can not revise or overrule in any manner. The point of order is not sustained.

Mr. GARNER. May I interrupt the Chair?

The SPEAKER. Yes.

Mr. GARNER. The Chair and other gentlemen have repeatedly stated that the Clerk reported the amendment as having been adopted. I challenge that statement. There is nowhere in the RECORD or in the Clerk's record a statement that the amendment has been adopted. On the contrary, the Clerk said that it was not adopted, and therefore all you have is the request of the gentleman from Tennessee for a separate vote on the Good amendment.

The SPEAKER. The RECORD shows that the Good substitute was agreed to.

Mr. GARNER. The substitute as an amendment was not adopted.

The SPEAKER. I think much the better practice is to put the vote twice, and I have always followed that where the substitute covered the whole question. In order to be absolutely safe I have always put the question, and, then, whatever the proposition was a substitute for. I think that is the better practice.

Mr. GARNER. Do I understand the Chair to hold that in all cases if I should challenge an amendment in the Committee of the Whole that had been a substitute and had not been agreed to and that was overruled—do I understand that is a sufficient substitute for the amendment?

The SPEAKER. The Chair must deal with the report as made by the Chairman of the Committee of the Whole House on the state of the Union. The Chair goes by the report, and he has the statements of the Chairman of the committee and the Clerk.

Mr. GARNER. And neither one of them say that the amendment was agreed to.

Mr. FOSTER. Mr. Speaker, I think the gentleman is in error in his assertion that the minutes of the Clerk do not show that the amendment was adopted. On the contrary, the minutes of the Clerk do show that the amendment was adopted, and this amendment has been reported to the House. The gentleman from Texas can not raise the point of order that the amendment was not adopted in Committee of the Whole. Further, if the gentleman from Texas had a remedy, it was when the report was made by the Chairman of the Committee of the Whole House on the state of the Union to the House upon the amendments adopted in Committee of the Whole. His time was then to raise the question, and not now, after it gets back into the House.

Mr. SAUNDERS. Mr. Speaker, would it not be proper to have the report of the Clerk read? That report has been challenged, and might we not have the part of the report read that deals with this matter?

Mr. MANN. It has been read. Let me ask the gentleman from Texas how he knows that the amendment is here?

Mr. GARNER. Because the gentleman from Tennessee asked for a separate vote on it, and the Clerk read it.

Mr. MANN. The Clerk has reported it and it is here, and it could not be here if it had not been reported by the Chairman of the committee. The gentleman is like the man in jail, you can not put him in, but he is there. [Laughter.]

The SPEAKER. In answer to the gentleman from Virginia, the Chair will state that the Clerk's notes show that the Good amendment or substitute, or whatever you call it, was agreed to.

Mr. BUCHANAN of Illinois. Mr. Speaker, as to the parliamentary situation of this substitute I want to say if the amendment, which appears to be only a substitute, was adopted, there was nothing to be gained by a vote on the amendment, because the substitute took the place of it. Would it not be useless to vote on it again?

The SPEAKER. The Chair thinks the better practice is to vote on it twice.

Mr. BUCHANAN of Illinois. What good could be gained by it?

The SPEAKER. You do not gain anything, except you are dead sure that you have got it nailed up. A better reason for voting twice is that Members may be opposed to the main prop-

osition and may vote for a substitute or amendment which they do not favor, hoping in that way to kill the proposition. With or without amendment or substitutes, they ought to have the opportunity so to do, and the only way they can get that opportunity is to vote twice.

Mr. BUCHANAN of Illinois. Does the Chair maintain that it is absolutely necessary to vote on a substitute twice?

The SPEAKER. The Chair is not maintaining anything of the sort. The Chair must deal with the report as presented, and that is the report of the Chairman, the gentleman from Illinois [Mr. FOSTER], Chairman of the Committee of the Whole House on the state of the Union. In section 4900, volume 4, of Hinds' Precedents, this point was raised:

On March 1, 1907, the Committee of the Whole House on the state of the Union arose and reported the merchant marine bill (S. 529), with an amendment in the nature of a substitute and a pending amendment thereto.

Mr. James E. Watson, of Indiana, rising to a parliamentary inquiry, asked if a separate vote might be demanded on certain amendments which the Committee of the Whole had adopted to perfect the substitute.

The Speaker said: "The Chair reads from the Manual: 'An amendment in the nature of a substitute is reported from the Committee of the Whole in its perfected form, amendments to the substitute not being noted in the report. Not being noted, the Chair has no knowledge of them.'"

Thereupon Mr. JOSEPH W. FORDNEY, of Michigan, who had offered in Committee of the Whole the amendment which was reported as pending, asked if he might withdraw it.

The Speaker said: "The Committee of the Whole House has reported to the House and the gentleman has no more control over it than any other Member."

Thereupon Mr. Watson made the point of order that, in fact, Mr. FORDNEY had never actually offered the amendment reported as pending, but that it had merely been read in Committee of the Whole for information.

The Speaker said: "The Chair must depend upon the report made by the Chairman of the Committee of the Whole House, and this amendment is reported as a pending amendment."

All the other decisions run the same way, and if there had never been any decisions the Chair would decide that way. The point of order made by the gentleman from Texas is overruled, and it is not necessary to pass upon the one raised by the gentleman from Wisconsin. The question is on agreeing to the Good amendment.

The question was taken; and on a division (demanded by Mr. GOOD) there were 115 yeas and 91 noes.

Mr. BYRNS of Tennessee. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

Mr. SLAYDEN. Mr. Speaker, I understand what the Good amendment is, but a number of Members have come in who do not, and I ask that it be again reported.

The SPEAKER. Without objection, the Clerk will again report the Good amendment.

The Clerk read as follows:

Page 119, line 12, insert: "Section 31 of the act approved July 2, 1909, is hereby repealed."

The question was taken; and there were—yeas 179, nays 137, not voting 112, as follows:

YEAS—179.

Alexander	Doremus	Hulings	Nelson
Allen	Doughton	Humphrey, Wash.	Norton
Anderson	Drukker	Igoe	Oglesby
Anthony	Edmonds	Johnson, Utah	Page, N. C.
Avis	Esch	Johnson, Wash.	Paige, Mass.
Bailey	Evans	Keating	Palmer
Barnhart	Falconer	Keister	Parker, N. J.
Bartholdt	Farr	Kelley, Mich.	Patton, Pa.
Barton	Fess	Kelly, Pa.	Peters
Beakes	Fitzgerald	Kennedy, Iowa	Peterson
Bell, Cal.	Fordney	Kennedy, R. I.	Phelan
Booher	Foster	Kinkaid, Nebr.	Plumley
Borchers	Frear	Kirkpatrick	Powers
Brodbeck	French	Knowland, J. R.	Prouty
Browne, Wis.	Gallagher	Korby	Rauch
Browning	Gard	Kreider	Roberts, Mass.
Bryan	Gardner	Lafferty	Roberts, Nev.
Buchanan, Ill.	Gillett	La Follette	Rogers
Burke, Pa.	Good	Langham	Rubey
Burke, S. Dak.	Gordon	Lenroot	Rucker
Butler	Goulden	Lever	Rupley
Callaway	Gray	Levy	Russell
Campbell	Green, Iowa	Lieb	Scott
Cantor	Greene, Mass.	Lindbergh	Shackelford
Cary	Greene, Vt.	Lloyd	Sherley
Cline	Hamilton, Mich.	Loneran	Sherwood
Coady	Hamlin	McKenzie	Sinnott
Connelly, Kans.	Hammond	McLaughlin	Sloan
Conry	Hardy	MacDonald	Smith, Idaho
Cooper	Harris	Madden	Smith, J. M. C.
Copley	Haugen	Mahan	Smith, Minn.
Cox	Hawley	Mann	Smith, N. Y.
Cramton	Hay	Mapes	Stafford
Curry	Hayes	Müller	Steenerson
Danforth	Helgesen	Mondell	Stephens, Cal.
Decker	Helvering	Moore	Stephens, Tex.
Dickinson	Hensley	Morrison	Stevens, Minn.
Dillon	Hinds	Moss, Ind.	Sutherland
Dionohoe	Hinebaugh	Moss, W. Va.	Switzer
Doollittle	Howell	Murray	Talcott, N. Y.

Tavener	Thomson, Ill.	Volstead	Winslow
Taylor, Colo.	Towner	Walters	Woodruff
Temple	Townsend	Weaver	Woods
Thacher	Treadway	White	Young, N. Dak.
Thompson, Okla.	Vinson	Willis	

NAYS—137.

Abercromble	Dixon	Johnson, Ky.	Rouse
Adair	Donovan	Johnson, S. C.	Sabath
Adamson	Dupré	Jones	Saunders
Aiken	Edwards	Kettner	Sisson
Aswell	Ferris	Key, Ohio	Slayden
Austin	Fields	Kitchin	Smith, Tex.
Baker	FitzHenry	Langley	Sparkman
Bartlett	Flood, Va.	Lazaro	Stanley
Bathrick	Floyd, Ark.	Lee, Ga.	Stedman
Bell, Ga.	Fowler	Leshner	Stephens, Miss.
Blackmon	Francis	Lobeck	Stephens, Nebr.
Borland	Gallivan	McClellan	Stone
Brockson	Garner	McGillcuddy	Stout
Broussard	Garrett, Tex.	McKellar	Stringer
Brown, N. Y.	Gill	Maguire, Nebr.	Summers
Buchanan, Tex.	Gilmore	Mitchell	Taylor, Ala.
Burke, Wis.	Goeke	Montague	Taylor, Ark.
Burnett	Goodwin, Ark.	Moon	Ten Eyck
Byrnes, S. C.	Graham, Ill.	Morgan, La.	Thomas
Byrns, Tenn.	Griffin	Morgan, Okla.	Tribble
Candler, Miss.	Gudger	Mulkey	Underhill
Cantrill	Harrison	Oldfield	Underwood
Caraway	Heflin	O'Leary	Vaughan
Carlin	Helms	O'Shaunessy	Vollmer
Carter	Henry	Padgett	Walker
Clancy	Hill	Park	Watkins
Clark, Fla.	Holland	Post	Watson
Collier	Houston	Pou	Webb
Connolly, Iowa	Howard	Price	Whaley
Crisp	Hoxworth	Quin	Williams
Cullop	Hughes, Ga.	Rainey	Wingo
Davenport	Hughes, W. Va.	Raker	Young, Tex.
Dent	Hull	Reilly, Conn.	
Dershem	Humphreys, Miss.	Reilly, Wis.	
	Jacoway	Rothermel	

NOT VOTING—112.

Ainey	Dunn	Kent	Patten, N. Y.
Ansberry	Eagan	Kies, Pa.	Platt
Ashbrook	Eagle	Kindel	Porter
Baltz	Elder	Kinhead, N. J.	Ragsdale
Barchfeld	Estopinal	Konop	Rayburn
Beall, Tex.	Fairchild	Lee, Pa.	Reed
Bowdle	Faison	L'Engle	Riordan
Britten	Fergusson	Lewis, Md.	Scully
Brown, W. Va.	Finley	Lewis, Pa.	Seldomridge
Bruckner	Garrett, Tenn.	Lindquist	Sells
Brumbaugh	George	Linthicum	Shreve
Bulkley	Gerry	Loft	Sims
Burgess	Gittins	Logue	Slemp
Calder	Glass	McAndrews	Small
Carew	Godwin, N. C.	McGuire, Okla.	Smith, Md.
Carr	Goldfogle	Maher	Smith, Saml. W.
Casey	Gorman	Manahan	Stevens, N. H.
Chandler, N. Y.	Graham, Pa.	Martin	Taggart
Church	Gregg	Metz	Talbot, Md.
Claypool	Griest	Morin	Taylor, N. Y.
Crosser	Guernsey	Mott	Tuttle
Dale	Hamill	Murdock	Vare
Davis	Hamilton, N. Y.	Neeley, Kans.	Wallin
Deitrick	Hart	Neely, W. Va.	Walsh
Dies	Hayden	Nolan, J. I.	Whitacre
Difenderfer	Hobson	O'Brien	Wilson, Fla.
Doelling	Kahn	O'Hair	Wilson, N. Y.
Driscoll	Kennedy, Conn.	Parker, N. Y.	Witherspoon

So the amendment was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. BURGESS with Mr. DAVIS.

Mr. CHURCH with Mr. BRITTEN.

Mr. ESTOPINAL with Mr. KAHN.

Mr. FINLEY with Mr. LINDQUIST.

Mr. NEELY with West Virginia with Mr. MANAHAN.

Mr. TAGGART with Mr. J. I. NOLAN.

On the vote:

Mr. GRIEST (for Good amendment) with Mr. CROSSER (against).

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the engrossment and third reading.

The bill was ordered to be engrossed and read a third time, was read the third time.

Mr. HAMLIN. Mr. Speaker, I move to recommit the bill with the instructions which I send to the Clerk's desk.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. HAMLIN. Well, I am opposed to this provision of the bill.

The SPEAKER. Is there any gentleman on the committee desiring to move to recommit?

Mr. GOOD. Mr. Speaker, I move to recommit the bill.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. GOOD. I am not, but I am on the committee.

The SPEAKER. Well, the Chair knows, but it goes first to somebody who is opposed to it. Is the gentleman from Missouri opposed to this bill?

Mr. HAMLIN. I am not opposed to the bill as a whole. I am only opposed to the provision which I seek to amend there.

Mr. JOHNSON of South Carolina. Mr. Speaker, I move to recommit the bill—

Mr. SHERLEY. Mr. Speaker, I make the point of order that it is only in order to move to recommit by a Member who states that he is opposed to the bill.

The SPEAKER. No; they give that preference, and that is what the Chair was trying to find out, and that not being stated by either gentleman, the Chair recognizes the gentleman from Iowa [Mr. Good] to make his motion to recommit with instructions. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. GOOD moves to recommit the bill to the Committee on Appropriations, with instructions to that committee to report the same forthwith back to the House with the following amendment: Strike out the figures "\$12,500," in line 9, page 103, and substitute therefor the figures "\$15,000," and strike out the figures "\$16,000," line 10, page 103, and substitute therefor the figures "\$18,500."

Mr. JOHNSON of South Carolina. Mr. Speaker, I move the previous question on the motion to recommit.

The SPEAKER. The gentleman from South Carolina moves the previous question.

Mr. HAMLIN. Mr. Speaker, I would like to offer my motion to recommit as an amendment.

The SPEAKER. But the gentleman from South Carolina got in ahead with his motion for the previous question.

The question was taken, and the previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

Mr. FITZGERALD. Mr. Speaker, I ask that the paragraph be reported as it would read as amended.

The SPEAKER. The Clerk will report the paragraph as it will read when this amendment is agreed to, if it is agreed to.

The Clerk read as follows:

Page 103, line 9, strike out the figures "\$12,500" and insert in lieu thereof "\$15,000"; and in line 10, on the same page, strike out the figures "\$16,000" and insert in lieu thereof "\$18,500," so that the paragraph as amended will read "Wyoming, surveyor general, \$3,000; clerks, \$15,000; contingent expenses, \$500; in all, \$18,500."

The SPEAKER. The question is on the motion to recommit. The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. FOSTER. Division, Mr. Speaker, I want to see how many are going to vote for it.

The House divided; and there were—ayes 0, noes 51.

So the motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill. The question was taken, and the bill was passed.

On motion of Mr. JOHNSON of South Carolina, a motion to reconsider the vote by which the bill was passed was laid on the table.

THE LATE SENATOR AUGUSTUS O. BACON, OF GEORGIA.

Mr. BARTLETT. Mr. Speaker, I desire to present the following privileged resolution, and ask its adoption.

The SPEAKER. The Clerk will report the resolution. The Clerk read as follows:

House resolution 682.

Resolved, That Sunday, January 24, 1915, be set apart for addresses upon the life, character, and public services of Hon. AUGUSTUS OCTAVIUS BACON, late a Member of the United States Senate from the State of Georgia.

The question was taken, and the resolution was agreed to.

POST OFFICE APPROPRIATION BILL.

Mr. HENRY. Mr. Speaker, I offer the following privileged resolution.

The SPEAKER. For what purpose does the gentleman rise? Mr. HENRY. To offer a privileged resolution from the Committee on Rules, and I will ask that the Clerk read the resolution.

The SPEAKER. The Clerk will report the resolution. The Clerk began the reading of the resolution.

Mr. HENRY. Mr. Speaker, I am wondering if we could not dispense with the reading of the resolution, which is about 37 pages long, and all these things are printed in the bill as reported to the House. It only makes in order certain things in the bill, so it seems to me we might dispense with the reading of it and go to the discussion of the subject of the rule.

Mr. MANN. Oh, I do not think it is proper—

Mr. HENRY. Does the gentleman wish it read?

Mr. MANN. I do not care how rapidly the Clerk reads it, but I think it ought to show in the RECORD as having been read.

The Clerk read as follows:

House resolution 676 (H. Rept. 1229).

Resolved, That after the adoption of this rule it shall be in order in the consideration of H. R. 19906, a bill making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1916, and for other purposes, to consider all the new legislation in each

and all of the sections of said bill, notwithstanding the rules of the House.

New legislation in section 1:

First. On pages 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15, the following:

"OFFICE OF THE FIRST ASSISTANT POSTMASTER GENERAL.

"For compensation to postmasters, \$30,750,000.

"Provided, That the respective compensation of postmasters of the first, second, and third classes shall be annual salaries, graded in even hundreds of dollars, and payable in quarterly payments, to be ascertained and fixed by the Postmaster General from their respective quarterly returns to the Auditor for the Post Office Department, or copies or duplicates thereof to the First Assistant Postmaster General, for the calendar year immediately preceding the adjustment, at the following rates, namely:

"At each post office where the receipts are \$1,900 and less than \$2,100, \$1,000.

"At each post office where the receipts are \$2,100 and less than \$2,400, \$1,100.

"At each post office where the receipts are \$2,400 and less than \$2,700, \$1,200.

"At each post office where the receipts are \$2,700 and less than \$3,000, \$1,300.

"At each post office where the receipts are \$3,000 and less than \$3,500, \$1,400.

"At each post office where the receipts are \$3,500 and less than \$4,200, \$1,500.

"At each post office where the receipts are \$4,200 and less than \$5,000, \$1,600.

"At each post office where the receipts are \$5,000 and less than \$6,000, \$1,700.

"At each post office where the receipts are \$6,000 and less than \$7,000, \$1,800.

"At each post office where the receipts are \$7,000 and less than \$8,000, \$1,900.

"At each post office where the receipts are \$8,000 and less than \$20,000, \$2,000.

"At each post office where the receipts are \$20,000 and less than \$40,000, \$2,500.

"At each post office where the receipts are \$40,000 and less than \$160,000, \$3,000.

"At each post office where the receipts are \$160,000 and less than \$340,000, \$3,500.

"At each post office where the receipts are \$340,000 and less than \$610,000, \$4,000.

"At each post office where the receipts are \$610,000 and less than \$1,000,000, \$4,500.

"At each post office where the receipts are \$1,000,000 and less than \$1,600,000, \$5,000.

"At each post office where the receipts are \$1,600,000 and less than \$2,500,000, \$5,500.

"At each post office where the receipts are \$2,500,000 and less than \$3,900,000, \$6,000.

"At each post office where the receipts are \$3,900,000 and less than \$6,000,000, \$6,500.

"At each post office where the receipts are \$6,000,000 and less than \$9,000,000, \$7,000.

"At each post office where the receipts are \$9,000,000 and less than \$13,600,000, \$7,500.

"At each post office where the receipts are \$13,600,000 and over, \$8,000.

"For compensation to clerks and employees at first and second class post offices:

"Superintendents of finance, superintendents of mails, and superintendents of delivery, 6 at not exceeding \$3,800 each;

"Superintendents of finance and superintendents of mails, 6 at not exceeding \$3,400 each;

"Superintendents of finance and superintendents of mails, 16 at not exceeding \$3,200 each;

"Superintendents of finance, auditors, and superintendents of mails, 20 at not exceeding \$3,000 each;

"Superintendents of finance, cashiers, superintendents of mails, assistant superintendents of mails, assistant superintendents of delivery, 30 at not exceeding \$2,800 each;

"Superintendents of finance, cashiers, superintendents of mails, assistant superintendents of mails, assistant superintendents of delivery, and superintendents of stations, 55 at not exceeding \$2,600 each;

"Superintendents of stations, 10 at not exceeding \$2,500 each;

"Superintendents of finance, cashiers, bookkeepers, superintendents of mails, assistant superintendents of mails, assistant superintendents of delivery, and superintendents of stations, 60 at not exceeding \$2,400 each;

"Superintendents of finance, cashiers, superintendents of mails, assistant superintendents of mails, assistant superintendents of delivery, and superintendents of stations, 15 at not exceeding \$2,300 each;

"Superintendents of finance, cashiers, bookkeepers, superintendents of mails, assistant superintendents of mails, and superintendents of stations, 60 at not exceeding \$2,200 each;

"Superintendents of stations, 40 at not exceeding \$2,100 each;

"Superintendents of finance, cashiers, bookkeepers, superintendents of mails, assistant superintendents of mails, superintendents of stations, foremen, special clerks, and stenographers, 140 at not exceeding \$2,000 each;

"Superintendents of stations, foremen, special clerks, and stenographers, 70 at not exceeding \$1,900 each;

"Superintendents of finance, cashiers, bookkeepers, superintendents of mails, assistant superintendents of mails, superintendents of stations, foremen, special clerks, and stenographers, 150 at not exceeding \$1,800 each;

"Superintendents of finance, cashiers, superintendents of mails, assistant superintendents of mails, superintendents of stations, foremen, special clerks, and stenographers, 240 at not exceeding \$1,700 each;

"Superintendents of finance, cashiers, bookkeepers, superintendents of mails, assistant superintendents of mails, superintendents of stations, foremen, special clerks, and stenographers, 400 at not exceeding \$1,600 each;

"Superintendents of finance, cashiers, bookkeepers, superintendents of mails, assistant superintendents of mails, superintendents of stations, foremen, special clerks, and stenographers, 700 at not exceeding \$1,500 each;

"Superintendents of finance, bookkeepers, superintendents of mails, superintendents of stations, foremen, special clerks, and stenographers, 1,575 at not exceeding \$1,400 each;

"Superintendents of finance, superintendents of mails, superintendents of stations, foremen, special clerks, and stenographers, 2,700 at not exceeding \$1,300 each;

"Stenographers, clerks in charge, and clerks, 18,500 at not exceeding \$1,200 each;

"Stenographers, clerks in charge, and clerks, 8,800 at not exceeding \$1,100 each;

"Stenographers, clerks in charge, and clerks, 6,535, at not exceeding \$1,000 each;

"Stenographers, clerks in charge, and clerks, 2,650, at not exceeding \$900 each;

"Clerks in charge and clerks, 2,339, at not exceeding \$800 each;

"Substitutes for clerks and employees absent without pay;

"And to provide for the promotion of 75 per cent of the clerks in first-class post offices from the fifth to the sixth grade, and for the promotion of 75 per cent of the clerks in second-class offices from the fourth to the fifth grade; in all, \$48,860,000; and hereafter the appointment and assignment of clerks hereunder shall be so made during each fiscal year as not to involve a greater aggregate expenditure than the sum appropriated: *Provided*, That on and after July 1, 1915, the compensation to employees other than those in the clerical grades in post offices of the first class shall be annual salaries graded in even hundreds of dollars based upon the postal receipts for the preceding calendar year of the post office at which they are employed, as follows:

"At each post office where the receipts are \$40,000 but less than \$60,000: Superintendent of finance, \$1,300; superintendent of mails, \$1,300.

"At each post office where the receipts are \$60,000 but less than \$100,000: Superintendent of finance, \$1,400; superintendent of mails, \$1,400.

"At each post office where the receipts are \$100,000 but less than \$150,000: Superintendent of finance, \$1,500; superintendent of mails, \$1,500.

"At each post office where the receipts are \$150,000 but less than \$200,000: Superintendent of finance, \$1,600; superintendent of mails, \$1,600.

"At each post office where the receipts are \$200,000 but less than \$300,000: Superintendent of finance, \$1,700; superintendent of mails, \$1,700.

"At each post office where the receipts are \$300,000 but less than \$400,000: Superintendent of finance, \$1,800; cashiers, \$1,500; superintendent of mails, \$1,800; assistant superintendent of mails, \$1,500.

"At each post office where the receipts are \$400,000 but less than \$600,000: Superintendent of finance, \$2,000; cashiers, \$1,600; superintendent of mails, \$2,000; assistant superintendent of mails, \$1,600; stenographers, \$900 to \$1,200.

"At each post office where the receipts are \$600,000 but less than \$800,000: Superintendent of finance, \$2,200; cashiers, \$1,700; superintendent of mails, \$2,200; assistant superintendents of mails, \$1,600 and \$1,700; stenographers, \$900 to \$1,200.

"At each post office where the receipts are \$800,000 but less than \$1,000,000: Superintendent of finance, \$2,400; cashiers, \$1,800; superintendent of mails, \$2,400; assistant superintendents of mails, \$1,700 and \$1,800; stenographers, \$900 to \$1,200; bookkeeper, \$1,400.

"At each post office where the receipts are \$1,000,000 but less than \$1,500,000: Superintendent of finance, \$2,600; cashiers, \$2,000; superintendent of mails, \$2,600; assistant superintendents of mails, \$1,800 and \$2,000; stenographers, \$900 to \$1,200; bookkeeper, \$1,500.

"At each post office where the receipts are \$1,500,000 but less than \$2,000,000: Superintendent of finance, \$2,800; cashiers, \$2,200; superintendent of mails, \$2,800; assistant superintendents of mails, \$2,000 and \$2,200; stenographers, \$900 to \$1,200; bookkeeper, \$1,600.

"At each post office where the receipts are \$2,000,000 but less than \$3,000,000: Superintendent of finance, \$3,000; cashiers, \$2,400; superintendent of mails, \$3,000; assistant superintendents of mails, \$2,000, \$2,200, and \$2,400; stenographers, \$900 to \$1,200; bookkeeper, \$1,800.

"At each post office where the receipts are \$3,000,000 but less than \$5,000,000: Superintendent of finance, \$3,200; cashiers, \$2,600; superintendent of mails, \$3,200; assistant superintendents of mails, \$2,200, \$2,400, and \$2,600; stenographers, \$900 to \$1,200; bookkeeper, \$2,000.

"At each post office where the receipts are \$5,000,000 but less than \$10,000,000: Superintendent of finance, \$3,400; cashiers, \$2,800; superintendent of mails, \$3,400; assistant superintendents of mails, \$2,400, \$2,600, and \$2,800; stenographers, \$900 to \$1,200; bookkeeper, \$2,200.

"At each post office where the receipts are \$10,000,000 but less than \$20,000,000: Superintendent of finance, \$3,600; cashiers, \$2,800; superintendent of mails, \$3,600; assistant superintendents of mails, \$2,400, \$2,600, and \$2,800; stenographers, \$900 to \$1,200; bookkeeper, \$2,400.

"At each post office where the receipts are \$20,000,000 or over: Superintendent of finance, \$3,800; cashiers, \$2,800; superintendent of mails, \$3,800; assistant superintendents of mails, \$2,400, \$2,600, and \$2,800; superintendent of delivery, \$3,800; assistant superintendents of delivery, \$2,400, \$2,600, and \$2,800; stenographers, \$900 to \$1,200; bookkeeper, \$2,400; auditor, \$3,000. *And provided further*, That there may also be employed at first-class post offices special clerks, foremen, and stenographers at a salary of \$1,300 or more per annum, the total number at any post office not to exceed 1 at \$1,300 for each \$100,000 receipts; 1 at \$1,400 for each \$200,000 receipts; 1 at \$1,500 for each \$400,000 receipts; 1 at \$1,600 for each \$600,000 receipts; 1 at \$1,700 for each \$1,000,000 receipts; 1 at \$1,800 for each \$3,000,000 receipts; 1 at \$1,900 for each \$6,000,000 receipts; and 1 at \$2,000 for each \$12,000,000 receipts: *And provided further*, That on and after July 1, 1915, the salary of station superintendents shall be based on the postal receipts and number of employees at their respective stations on the following basis:

"When the receipts of a carrier station do not exceed \$5,000 per annum, the station shall have a credit of three points, and for each additional \$5,000 a credit of one point.

"When the receipts of a noncarrier station do not exceed \$5,000 per annum, the station shall have a credit of three points, and for each additional \$30,000 a credit of one point.

"When the employees (clerks and carriers, city and rural) at a carrier station are three or less, the station shall have a credit of one point and for each multiple of three employees a credit of one point.

"Stations having credit of less than five points shall be in charge of a clerk at a salary not to exceed \$1,200.

"At stations having a total credit of five points or more the salary of the superintendent shall be as follows: Five and six points, superintendent, \$1,300; 7 to 9 points, superintendent, \$1,400; 10 to 13 points, superintendent, \$1,500; 14 to 18 points, superintendent, \$1,600; 19 to 23 points, superintendent, \$1,700; 24 to 32 points, superintendent, \$1,800; 33 to 44 points, superintendent, \$1,900; 45 to 64 points, superintendent, \$2,000; 65 to 100 points, superintendent, \$2,100; 101 to 135 points, superintendent, \$2,200; 136 to 200 points, superintendent, \$2,300; 201 to 275 points, superintendent, \$2,400; 276 to 350 points, superintendent, \$2,500; 351 points and over, superintendent, \$2,600."

Second. Line 26, page 15, and lines 1 and 2, page 16, as follows:

"Provided, That hereafter the Postmaster General may enter into contracts for the conduct of such stations for a term not exceeding two years."

Third. Page 23, lines 21 to 25, inclusive; and page 24, lines 1, 2, 3, and 4, as follows:

"The appropriation for two delegates to the International Postal Union at Madrid, to be appointed by the Postmaster General from the Post Office Department, made by the act of August 24, 1912, making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes, is hereby continued and shall be available for such convention when it shall be held."

Fourth. Page 25, lines 8 to 19, inclusive, as follows:

"For pay of letter carriers, substitutes for carriers on annual leave, clerks in charge of substations, and tolls and ferrage, Rural Delivery Service, \$54,700,000: *Provided*, That not to exceed \$20,000 of the amount hereby appropriated may be used for compensation of clerks in charge of substations: *Provided further*, That for experimental purposes, under such regulations as he may prescribe, the Postmaster General is authorized to advertise for proposals and to enter into contracts with the lowest responsible bidders, for a period of not exceeding four years, for performing service on rural routes in one county in each State, and to pay for the same out of the amount hereby appropriated."

and any and all other new legislation in section 1.

Fifth. Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26, beginning with line 20, page 30, of said bill, and ending with line 3, page 54, as follows:

"Sec. 2. That the act approved August 24, 1912, being 'An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes,' is hereby amended as follows: At the end of section 5 of said act, after the word 'service,' insert the following: '*Provided*, That compensatory time for Sunday service during the month of December in any year may be allowed during the month of January next succeeding.'"

"Sec. 3. That hereafter the Postmaster General may establish, under such rules and regulations as he may prescribe, one or more branch offices, nonaccounting offices, or stations of any post office for the transaction of such postal business as may be required for the convenience of the public."

"Sec. 4. That hereafter the Postmaster General may enter into contracts for the conduct of such stations for a term not exceeding four years."

"Sec. 5. That on and after July 1, 1915, when the total compensation of any postmaster at a post office of the fourth class for four consecutive quarters shall amount to \$1,000, exclusive of commissions on money orders issued, and the receipts of such post office for the same period shall aggregate as much as \$1,900, the Auditor for the Post Office Department shall so report to the Postmaster General, who shall, in pursuance of such report, assign such post office to its proper class, to become effective at the beginning of the next succeeding quarterly period, and fix the salary of the postmaster accordingly."

"Sec. 6. That so much of section 1 of the 'Act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes,' approved August 24, 1912, which provides that the Post Office Department shall not extend or enlarge its present policy of sending second-class matter by freight trains, is hereby repealed."

"Sec. 7. That the Postmaster General, in cases of emergency, between October 1 and April 1 of any year, may hereafter return to the mails empty mail bags theretofore withdrawn therefrom as required by law, and for such times may pay for their railroad transportation out of the appropriation for inland transportation by railroad routes at not exceeding the rate per pound per mile as shown by the last adjustment for mail service on the route over which they may be carried, and pay for necessary cartage out of the appropriation for freight or expressage."

"Sec. 8. That when, during a weighing period, on account of floods or other causes, interruptions in service occur on railroad routes and weights of mail are decreased below the normal, or where there is an omission to take weights, the Postmaster General, for the purpose of readjusting compensation on such railroad routes as are affected thereby, is hereafter authorized, in his discretion, to add to the weights of mails ascertained on such routes during that part of the weighing period when conditions are shown to have been normal the estimated weights for that part of the weighing period when conditions are shown to have been not normal or where there has been an omission to take weights, based upon the average of weights taken during that part of the weighing period during which conditions are shown to have been normal, the actual weights and the estimated weights to form the basis for the average weight per day upon which to readjust the compensation according to law on such railroad routes for the transportation of the mails, notwithstanding the provision of the act of Congress approved March 3, 1905, requiring that the average weight shall be ascertained by the actual weighing of the mails for such a number of successive working days, not less than 90, as the Postmaster General may direct: *Provided further*, That readjustments from July 1, 1913, may be made under this provision on routes in the first section affected by the floods in the Ohio Valley and tributary territories, commencing about March 25, 1913."

"Sec. 9. That so much of section 4 of 'An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes,' approved August 24, 1912, as provides that no adjustment shall be made unless the diverted mails equal at least 10 per cent of the average daily weight on any of the routes affected is hereby repealed."

"Sec. 10. That hereafter the Postmaster General may transfer, under such regulations as he may prescribe, clerks from post offices of the first and second classes to the Railway Mail Service at salaries not exceeding the salary which the clerks are receiving in the post offices at the time of such transfer, with the consent of the clerk."

"Sec. 11. That the Postmaster General is authorized and directed to readjust the compensation to be paid to railroad companies from the 30th day of June, 1915, or as soon thereafter as may be practicable, for the transportation and handling of the mails and furnishing facilities and services in connection therewith upon the conditions and at the rates hereinafter provided."

"The Postmaster General may state railroad mail routes and authorize mail service thereon of the following four classes, namely: Full railway post-office car service, apartment railway post-office car service, storage-car service, and closed-pouch service."

"Full railway post-office car mail service shall be service by cars 40 feet or more in length, constructed, fitted up, and maintained for the

distribution of mails on trains. The authorization of full railway post-office cars shall be for standard-size cars 60 feet in length, inside measurement, except as hereinafter provided."

"Apartment railway post-office car mail service shall be service by apartments less than 40 feet in length in cars constructed, fitted up, and maintained for the distribution of mails on trains. Two standard sizes of apartment railway post-office cars may be authorized and paid for, namely, apartments 15 feet and 30 feet in length, inside measurement, except as hereinafter provided."

"Storage-car mail service shall be service by cars used for the storage and carriage of mails in transit other than by full and apartment railway post-office cars. The authorizations for storage cars shall be for cars 60 feet in length, inside measurement, except as hereinafter provided: *Provided*, That less than 60 feet of storage space may be authorized in baggage cars."

"Service by full and apartment railway post-office cars and storage cars shall include the carriage therein of all mail matter, equipment, and supplies for the mail service and the employees of the Postal Service or Post Office Department as shall be directed by the Postmaster General to be so carried."

"Closed-pouch mail service shall be the transportation and handling by railroad employees of mails on trains on which full or apartment railway post-office cars are not authorized, except as hereinbefore provided."

"The rates of payment for the services authorized in accordance with this act shall be as follows, namely:

"For full railway post-office car mail service at not exceeding 21 cents for each mile of service by a 60-foot car."

"In addition thereto he may allow not exceeding \$2 as an initial rate and the same as a terminal rate for each one-way trip of a 60-foot car."

"For apartment railway post-office car mail service at not exceeding 10½ cents for each mile of service by a 30-foot apartment car and 5½ cents for each mile of service by a 15-foot apartment car."

"In addition thereto he may allow not exceeding \$1 as an initial rate and the same as a terminal rate for each one-way trip of a 30-foot apartment car and 50 cents as an initial rate and the same as a terminal rate for each one-way trip of a 15-foot apartment car."

"For storage-car mail service at not exceeding 20 cents for each mile of service by a 60-foot car."

"In addition thereto he may allow not exceeding \$2 as an initial rate and the same as a terminal rate for each one-way trip of a 60-foot car."

"Where authorizations are made for cars of the standard lengths of 60, 30, and 15 feet, as provided by this act, and the railroad company is unable to furnish such cars of the length authorized, but furnishes cars of lesser length than those authorized, but which are determined by the department to be sufficient for the service, the Postmaster General may accept the same and pay only for the actual space furnished and used, the compensation to be not exceeding pro rata of that provided by this act for the standard length so authorized: *Provided*, That the Postmaster General may accept cars and apartments of greater length than those of the standard requested, but no compensation shall be allowed for such excess lengths."

"For closed-pouch service, on routes upon which closed-pouch service only is performed, at not exceeding the rates of compensation provided by existing law for average daily weights of mail carried over the whole route; on routes upon which apartment railway post-office car and closed-pouch services are performed, at not exceeding \$20 per mile per annum for each 2,000 pounds average daily weights of mails carried, and at pro rata of such rate of compensation for each 100 pounds of average daily weight greater or less than 2,000 pounds; and on routes upon which full railway post-office car and closed-pouch services or full railway post-office car, apartment-car, and closed-pouch services are performed, at not exceeding \$19 per mile per annum for each 2,000 pounds average daily weight of mails carried, and at pro rata of such rate of compensation for each 100 pounds of average daily weight greater or less than 2,000 pounds, the average daily weights to be ascertained in every case by the actual weighing of the mails."

"The Postmaster General may require railroad companies carrying the mails to deliver them into and take them from the terminal and intermediate post offices and transfer them between railroad stations on their routes without additional compensation, under such regulations as he may deem proper, in cases where he does not provide for such service otherwise: *Provided*, That the Postmaster General in his discretion may relieve any of the roads of such service."

"Railroad companies whose railroads were constructed in whole or in part by a land grant made by Congress, on the conditions that the mails should be transported over their roads at such price as Congress should by law direct, shall receive only 80 per cent of the compensation otherwise authorized by this act."

"The initial and terminal rates provided for herein shall cover expenses of loading and unloading mails, switching, lighting, heating, cleaning mail cars, and all other expenses incidental to station service and required by the Postmaster General in connection with the mails that are not included in the car-mile rate. The allowance for full railway post-office cars, apartment railway post-office cars, and storage cars may be varied in accordance with the approximate difference in their respective cost of construction and maintenance."

"For the purpose of ascertaining the average weight of closed-pouch mails per day upon which to adjust compensation, the Postmaster General is authorized and directed to have such mails carried on the several routes weighed by the employees of the Post Office Department for such a number of successive days, not less than 35, at such times after July 1, 1915, as he may direct, and not less frequently than once in every year thereafter, the result to be stated and certified in such form and manner as he may direct. In computing the average weight of mails per day carried on a railroad route, the whole number of days included in the weighing period shall be used as a divisor. The expense of taking the weights of mails and the compensation to tabulators and clerks employed in connection with the weighings, for assistance in completing computations, and of rentals, if necessary, in Washington, D. C., shall be paid out of the appropriation for inland transportation by railroad routes."

"In computing the car miles of the full railway post-office cars and apartment railway post-office cars, the maximum space authorized in either direction of a round-trip car run shall be regarded as the space to be computed in both directions, unless otherwise mutually agreed upon."

"In computing the car miles of storage cars, the maximum space authorized in either direction of a round-trip car run shall be regarded as the space to be computed in both directions, unless the car be used by the company in the return movement, or otherwise mutually agreed upon."

"New service and additional service may be authorized at not exceeding the rates herein provided, and service may be reduced or discontinued with pro rata reductions in pay, as the needs of the Postal Service may require: *Provided*, That no additional pay shall be allowed for additional closed-pouch service on established routes until the next regular readjustment of pay thereon on such routes, and no additional pay shall be allowed for additional car service unless specifically authorized by the Postmaster General.

"All cars or parts of cars used for the Railway Mail Service shall be of such construction, style, length, and character, and furnished in such manner as shall be required by the Postmaster General, and shall be constructed, fitted up, maintained, heated, lighted, and cleaned by and at the expense of the railroad companies. No pay shall be allowed for service by any railway post-office car which is not sound in material and construction and which is not equipped with sanitary drinking water containers and toilet facilities, nor unless such car is regularly and thoroughly cleaned. No pay shall be allowed for service by any wooden full railway post-office car unless constructed substantially in accordance with the most approved plans and specifications of the Post Office Department for such type of cars, nor for service by any wooden full railway post-office car run in any train between adjoining steel cars, or between the engine and a steel car adjoining. After the 1st of July, 1917, the Postmaster General shall not approve, or allow to be used, or pay for service by, any full railway post-office car not constructed of steel or steel underframe or equally indestructible material, and not less than 25 per cent of the full railway post-office cars of a railway company not conforming to these provisions on August 24, 1912, shall be replaced with cars constructed of steel annually after June, 1913; and all full railway post-office cars accepted for this service and contracted for by the railroad companies hereafter shall be constructed of steel. Until July 1, 1917, in cases of emergency and in cases where the necessities of the service require it, the Postmaster General may provide for service by full railway post-office cars of other than steel or steel underframe construction, and fix therefor such rate of compensation within the maximum herein provided as shall give consideration to the inferior character of construction, and the railroad companies shall furnish service by such cars at such rates so fixed.

"Service over property owned or controlled by another company or a terminal company shall be considered service of the railroad company using such property and not that of the other or terminal company: *Provided*, That service over a land-grant road shall be paid for as herein provided.

"Railroad companies carrying the mails shall furnish all necessary facilities for caring for and handling them while in their custody. They shall furnish all cars or parts of cars used in the transportation and distribution of the mails, except as is herein otherwise provided, and place them in stations before the departure of trains at such times and when required to do so. They shall provide station space and rooms for handling, distribution, and transfer of mails in transit, and for offices and rooms for the employees of the Postal Service engaged in such transportation, when required by the Postmaster General.

"Every railroad company carrying the mails shall carry on any train it operates and without extra charge therefor the persons in charge of the mails, and when on duty and traveling to and from duty, and all duly accredited agents and officers of the Post Office Department and the Postal Service, while traveling on official business, upon the exhibition of their credentials.

"If any railroad company carrying the mails shall fail or refuse to provide cars or apartments in cars for distribution purposes when required by the Postmaster General, or shall fail or refuse to construct, fit up, maintain, heat, light, and clean such cars and provide such appliances for use in case of accident as may be required by the Postmaster General, it shall be fined such reasonable sum as may, in the discretion of the Postmaster General, be deemed proper.

"The Postmaster General shall in all cases decide upon what trains and in what manner the mails shall be conveyed. Every railroad company carrying the mails shall carry on any train it operates and with due speed all mailable matter, equipment, and supplies directed to be carried thereon. If any such railroad company shall fail or refuse to transport the mails, equipment, and supplies when required by the Postmaster General on any train or trains it operates, such company shall be fined such reasonable amount as may, in the discretion of the Postmaster General, be deemed proper.

"The Postmaster General may make deductions from the pay of railroad companies carrying the mails under the provisions of this act for reduction in service or in frequency of service where, in his judgment, the importance of the facilities withdrawn or reduced requires it, and impose fines upon them for delinquencies. He may deduct the price of the value of the service in cases where it is not performed, and not exceeding three times its value if the failure be occasioned by the fault of the railroad company.

"The provisions of this act shall apply to service operated by railroad companies partly by railroad and partly by steamboat.

"The provisions of this act respecting the rates of compensation shall not apply to mails conveyed under special arrangement in freight trains, for which rates not exceeding the usual and just freight rates may be paid, in accordance with the classifications and tariffs approved by the Interstate Commerce Commission.

"Railroad companies carrying the mails shall submit, under oath, when and in such form as may be required by the Postmaster General, evidence as to the performance of service.

"The Postmaster General is authorized to employ such clerical and other assistance as shall be necessary to carry out the provisions of this act, and to rent quarters in Washington, D. C., if necessary, for the clerical force engaged thereon, and to pay for the same out of the appropriation for inland transportation by railroad routes.

"The Postmaster General shall, from time to time, request information from the Interstate Commerce Commission as to the revenue received by railroad companies from express companies for services rendered in the transportation of express matter, and may, in his discretion, arrange for the transportation of mail matter other than of the first class at rates not exceeding those so ascertained and reported to him, and it shall be the duty of the railroad companies to carry such mail matter at such rates fixed by the Postmaster General.

"The Postmaster General is authorized in his discretion, to petition the Interstate Commerce Commission for the determination of a postal-carload or less-than-carload rate for transportation of mail matter of the fourth class and periodicals, and may provide for and authorize such transportation, when practicable, at such rates, and it shall be the duty of the railroad companies to provide and perform such service at such rates and on the conditions prescribed by the Postmaster General.

"The Postmaster General may, in his discretion, distinguish between the several classes of mail matter and provide for less frequent dispatches of mail matter of the third and fourth classes and periodicals, when lower rates for transportation or other economies may be secured thereby without material detriment to the service.

"The Postmaster General is authorized to return to the mails, when practicable for the utilization of car space paid for and not needed for the mails, postal cards, stamped envelopes, newspaper wrappers, empty mail bags, furniture equipment, and other supplies for the Postal Service.

"The Postmaster General, in cases of emergency between October 1 to April 1 of any year, may hereafter return to the mails empty mail bags and other equipment theretofore withdrawn therefrom as required by law, and where such return requires additional authorization of car space under the provisions of this act to pay for the transportation thereof as provided for herein out of the appropriation for inland transportation by railroad routes.

"The Postmaster General may have the weights of mail taken on railroad mail routes and computations of the average loads of the several classes of cars and other computations for statistical and administrative purposes made at such times as he may elect, and pay the expense thereof out of the appropriation for inland transportation by railroad routes.

"It shall be unlawful for any railroad company to refuse to perform mail service at the rates of compensation provided by law when and for the period required by the Postmaster General so to do, and for every such offense it shall be fined not exceeding \$5,000.

"That the unexpended balances of the appropriations for inland transportation by railroad routes and for railway post-office car service, by the act of March 9, 1914, making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1915, and for other purposes, are hereby made available for the purposes of this act.

"Sec. 12. That on account of the increased weight of mails resulting from Postmaster General's order No. 7720, of December 18, 1913, respecting rates upon and limit of weight of parcel-post packages in the local, first and second zones, and effective from August 15, 1913, the Postmaster General is authorized to add to the compensation paid for transportation on railroad routes on and after August 15, 1913, for the remainder of the contract terms, not exceeding one-half of 1 per cent thereof per annum.

"Sec. 13. That on account of the increased weight of mails resulting from Postmaster General's order No. 7720 of December 18, 1913, respecting rates upon and limit of weight of parcel-post packages effective from January 1, 1914, the Postmaster General is authorized to add to the compensation paid for transportation on railroad routes on and after January 1, 1914, for the remainder of the contract terms, not exceeding 1 per cent thereof per annum.

"Sec. 14. That the appropriation for the manufacture of postage stamps be so amended that advance payment can be made to the Director of the Bureau of Engraving and Printing for the printing of postage stamps.

"Sec. 15. That under such regulations as the Postmaster General may establish for the collection of the lawful revenue, and for facilitating the handling of such matter in the mails, it shall be lawful to accept for transmission in the mails quantities of not less than 500 identical pieces of third-class matter and of second-class matter mailed at the special rates of 1 cent and 2 cents a copy and of 250 identical pieces of fourth-class matter without postage stamps affixed: *Provided*, That postage shall be fully prepaid thereon at the rate required by law for a single piece of such matter.

"Sec. 16. That such part of section 6 of the act approved June 25, 1910, authorizing a system of postal savings depositories as reads 'but no one shall be permitted to deposit more than \$100 in any one calendar month' is hereby amended to read as follows: 'but the balance to the credit of any person upon which interest is payable shall not exceed \$1,000, exclusive of accumulated interest'; and said act is further amended so as to repeal the proviso in section 7 thereof and insert in lieu of such proviso the following: *Provided*, That the board of trustees may, in their discretion, and under such regulations as such board may promulgate, accept additional deposits not to exceed in the aggregate \$1,000 for each depositor, but upon which no interest shall be paid.'

"Sec. 17. That if any person hereafter perform any service for any contractor or subcontractor in carrying the mail he shall, upon filing in the department his contract for such service and satisfactory evidence of its performance, thereafter have a lien on any money due such contractor or subcontractor for such service to the amount of same; and if such contractor or subcontractor shall fail to pay the party or parties who have performed service as aforesaid the amount due for such service within two months after the expiration of the month in which such service shall have been performed the Postmaster General may cause the amount due to be paid said party or parties and charged to the contractor: *Provided*, That such payment shall not in any case exceed the rate of pay per annum of the contractor or subcontractor.

"Sec. 18. That whenever an accepted bidder shall fail to enter into contract, or a contractor on any mail route shall fail or refuse to perform the service on said route according to his contract, or when a new route shall be established or new service required, or when, from any other cause, there shall not be a contractor legally bound or required to perform such service, the Postmaster General may make a temporary contract for carrying the mail on such route, without avertisement, for such period as may be necessary, not in any case exceeding one year, until the service shall have commenced under a contract made according to law: *Provided*, That the cost of temporary service rendered necessary by reason of the failure of any accepted bidder to enter into contract or a contractor to perform service shall be charged to such bidder or contractor.

"All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

"Sec. 19. That section 3949 of the Revised Statutes be amended to read as follows:

"All contracts for carrying the mails should be in the name of the United States, and shall be awarded to the lowest bidder tendering sufficient guarantees for faithful performance in accordance with the terms of the advertisement: *Provided, however*, That such contracts require due celerity, certainty, and security in the performance of the service; but the Postmaster General shall not be bound to consider the bid of any person who has willfully or negligently failed to perform a former contract.

"Sec. 20. That the act of March 4, 1909 (ch. 321, sec. 198, 35th Stats., p. 1126), be amended to read as follows:

"Whoever shall willfully or maliciously injure, tear down, or destroy any letter box or other receptacle intended or used for the receipt or delivery of mail on any mail route, or shall break open the same, or shall willfully or maliciously injure, deface, or destroy any mail deposited therein, or shall willfully take or steal such mail from or out of such letter box or other receptacle, or shall willfully aid or assist in any of the aforementioned offenses, shall for every such offense be punished by a fine of not more than \$1,000 or by imprisonment for not more than three years."

"SEC. 21. That section 3938 of the Revised Statutes be amended to read as follows:

"All letters of domestic origin which can not be delivered by postmasters shall be sent to the Post Office Department, and such as contain inclosures of value, other than correspondence, shall be recorded. If the sender or addressee can not be identified, such letters shall be held for a period of one year awaiting reclamation. If within one year they have not been claimed, they shall be disposed of as the Postmaster General may direct."

"All other undeliverable letters shall be disposed of without record and not held for reclamation."

"SEC. 22. That whenever in the judgment of the Postmaster General the bids received for any star route are exorbitant or unreasonable, or whenever he has reason to believe that a combination of bidders has been entered into to fix the rate for star-route service, the Postmaster General be, and he is hereby, authorized, out of the appropriation for inland transportation by star routes, to employ and use such means or methods to provide the desired service as he may deem expedient, without reference to existing laws or laws respecting the employment of personal service or the procurement of conveyances, materials, or supplies."

"SEC. 23. That on and after July 1, 1915, the compensation of each rural letter carrier for serving a standard route of 24 miles and over, six days in the week, shall be \$1,200 per annum, payable monthly; on routes 22 miles and less than 24 miles, \$1,152; on routes 20 miles and less than 22 miles, \$1,080; on routes 18 miles and less than 20 miles, \$960; on routes 16 miles and less than 18 miles, \$840; on routes 14 miles and less than 16 miles, \$720; on routes 12 miles and less than 14 miles, \$672; on routes 10 miles and less than 12 miles, \$624; on routes 8 miles and less than 10 miles, \$576; on routes 6 miles and less than 8 miles, \$528; on routes 4 miles and less than 6 miles, \$480. A rural letter carrier serving one triweekly route shall be paid on the basis for a route one-half the length of the route served by him, and a carrier serving two triweekly routes shall be paid on the basis for a route one-half of the combined length of the two routes: *Provided*, That in the discretion of the Postmaster General the pay of carriers who furnish and maintain their own motor vehicles and who serve routes not less than 50 miles in length may be fixed at not exceeding \$1,800 per annum."

"SEC. 24. That the Postmaster General be, and he is hereby, authorized to pay an additional compensation to rural carriers, out of the appropriation for village delivery service, a sum not to exceed \$150 per annum in any individual case for delivering mail at second and third class post offices not now by law entitled to free delivery service."

"SEC. 25. That the act approved January 21, 1914 (Public, 49), authorizing the Postmaster General to adjust certain claims of postmasters for loss by burglary, fire, or other unavoidable casualty, be so amended as to include Navy mail clerks and assistant Navy mail clerks."

"SEC. 26. That the act approved May 23, 1910 (ch. 255, 36 R. S., p. 416, now carried in Postal Laws and Regulations as sec. 931), be amended so as to read as follows: 'Whenever the sender shall so request, a receipt shall be taken on the delivery of any registered mail matter showing to whom and when and place where the same was delivered, which receipt shall be returned to the sender, and be received in the courts as prima facie evidence of such delivery.'"

Immediately upon the adoption of this rule the Post Office appropriation bill, herein referred to, shall be taken up for consideration in the House. The general debate shall not run exceeding six hours' time, one half of which time shall be controlled by the chairman of the Committee on the Post Office and Post Roads and the other half by the ranking member of the minority. At the end of said six hours of debate the bill shall be considered by paragraphs as provided in the general rules of the House.

Mr. HENRY. Mr. Speaker, I move the previous question on the resolution.

The SPEAKER. The gentleman from Texas moves the previous question on the resolution.

Mr. CAMPBELL. Will the gentleman agree upon some time for debate?

Mr. HENRY. This gives 20 minutes to a side.

Mr. MANN. I ask for a division.

Mr. HENRY. Mr. Speaker, I withhold it for a moment.

Mr. MANN. Make it 30 minutes on a side.

Mr. HENRY. I have no objection if the gentleman thinks he will need that much time.

Mr. CAMPBELL. There has been a demand for that time.

Mr. HENRY. That is if we agree that the previous question shall be considered as ordered at the end of an hour. Very well, Mr. Speaker, I agree to 30 minutes on a side, and I ask unanimous consent that at the end of that time the previous question shall be considered as ordered.

The SPEAKER. The gentleman from Texas asks that debate be confined on this rule to 30 minutes on a side, and at the end of the hour the previous question shall be considered as ordered. Is there objection? [After a pause.] The Chair hears none. The gentleman from Texas is recognized for 30 minutes and the gentleman from Kansas for 30 minutes.

Mr. HENRY. Mr. Speaker, the rule provides for making in order certain matters of legislation that are contained in the Post Office appropriation bill which has been reported to the House. In other words, everything that is contained in the bill shall not be subject to any point of order, but shall be considered by the House; and the legislation is set out in length in order that the Members may understand the terms of the

bill as reported. And at the end of the resolution there is a provision that the House proceed to consider the bill, and that there shall be not exceeding six hours of general debate. And at the end of that time the previous question shall be considered as ordered, and the House shall come to a vote.

Such, in general terms, are the various provisions of the special rule. I believe it is not necessary to say any more in regard to it by way of explanation, therefore I reserve the balance of my time.

Mr. ALEXANDER. Will the gentleman yield?

Mr. HENRY. Yes.

Mr. ALEXANDER. You stated that at the expiration of six hours the bill would come to a vote.

Mr. HENRY. I meant that it should be considered under the five-minute rule, of course. There is perfect freedom of debate and amendment provided under the five-minute rule.

Mr. CAMPBELL. Mr. Speaker, there are several objections to the adoption of this rule. I shall only have time to consider a very limited number of them. First of all, it provides for important legislation as a rider on an appropriation bill. There are 37 pages of very important legislation that it is proposed to make in order on this appropriation bill. That in itself is a sufficient objection to the rule, if there were no others.

Mr. ALLEN. Will the gentleman yield for a question?

Mr. CAMPBELL. I have very little time, but I will yield for a short question.

Mr. ALLEN. I simply wanted to ask if it is not a fact that substantially all the legislation was passed last summer in what is known as the Moon bill, now pending in the Senate?

Mr. CAMPBELL. That is true, and is another objection to this rule, because all legislation has already passed the House on its merits, without being attached as a rider to an appropriation bill, and is pending before the Senate Committee on Post Offices and Post Roads, where it properly belongs for consideration. If this legislation is important, and much of it is, it should pass upon its merits.

Another objection to this rule is that it has been given out by the administration, from the President down, and it has been stated by the leaders of both the House and Senate majorities, that it is the intention to close the business of Congress on the 4th of March by finishing up all the appropriation bills. If that is done, it will be necessary to proceed with the appropriation bills without attaching important riders upon them. That brings up the question of whether or not the administration is serious in its contention that the business of this Congress should be concluded by the 4th of March. I understand it is urged by the Postmaster General that this legislation be made in order as a rider on this appropriation bill. And I understand that it is agreed by the majority of this House that this important legislation be attached as a rider upon the Post Office appropriation bill. That will place before the conferees of the House and the Senate 37 pages of the most important legislation to be considered by this Congress on the last day of the session at a time when it is impossible to give the consideration to conference reports that they ought to have, and require Members to vote to agree to a conference report, right or wrong, in order to avoid a special session of the Congress. That ought not to be done.

The most serious objection that I have, and that many Members of this House ought to have, to this resolution is that it makes in order a law that changes the delivery of mail by rural carriers to the delivery of rural mail by the contract system. If this rule is agreed to, star routes are to be given a trial in place of the rural route carriers, and the proposed amendment is agreed to as a rider to this bill. It is the beginning of the end of the delivery of rural mail by rural carriers. It can not be concealed by any pretext or any pretense that that is not the intention of the Postmaster General; it is the intention of the majority of the Committee on the Post Office and Post Roads of this House; it is the proposition of the majority of this House, if this amendment is made in order and agreed to by the House, that the delivery of rural mail henceforth shall be under the contract system, under the star-route system, instead of by rural delivery carriers, as has been practiced for the last 12 or 14 years in this country.

There are many items of very important legislation that are made in order by this resolution that, as has already been stated, have passed this House and are now under consideration in the Senate. The Moon bill of the last session does not include the delivery of mail under the contract system in place of by rural carriers. Every important item of legislation made in order in this rule can be passed by the Senate and agreed to by this House within the next 10 days or before the adjournment, without imperiling the rural delivery of mail in the United States by making in order this blanket assault upon appropria-

tion bills by attaching a rider of 37 pages of important legislation.

Mr. ADAIR. May I ask the gentleman just one question?

Mr. CAMPBELL. Yes.

Mr. ADAIR. If the gentleman has time I wish he would state to the House just what the provision is in the bill relating to the change in the Rural Delivery Service.

Mr. CAMPBELL. It provides for one county in each State as an experiment for star-route delivery of mail. That is just the way rural delivery was started. It is proposed to stop rural free delivery just the way it was started. It is the first drink, the first fall from virtue.

Mr. Speaker, how much time have I used?

The SPEAKER. The gentleman has used six minutes.

Mr. DECKER. Does it mean that all the mail delivered in one county shall be delivered by star route?

Mr. CAMPBELL. Yes.

Mr. DECKER. I thought it was one route.

Mr. CAMPBELL. No; the whole county, as I understand.

Mr. Speaker, I reserve the balance of my time.

Mr. HENRY. Will the gentleman from Kansas use some more of his time now?

Mr. CAMPBELL. I would rather the gentleman from Texas would use some of his time, if he will.

Mr. HENRY. Mr. Speaker, I yield 10 minutes to the gentleman from Tennessee [Mr. Moon].

Mr. MOON. I do not share the apprehensions of my friend from Kansas [Mr. Campbell]. The discussion of the question before the House would indicate that he is not very familiar with portions of this measure or with the purposes and intentions of the committee in presenting this new legislation.

It is well known to the House that there has never been any legislation of any consequence or importance affecting the Post Office Department or the Postal Service that has not passed through this House on an appropriation bill. If you were to have a separate bill for all of these administrative items in this bill intended to promote the efficiency of the service and of the department and pass them over to the Senate, it would be impossible to get that body to consider all of that varied legislation. But it has never been difficult to get the Senate to consider propositions that occur and arise upon an appropriation bill.

Why should they not be considered there as well as elsewhere? If this House has agreed to legislation and wants legislation passed, the way to get action upon it is to present it to the Senate of the United States so that it necessarily and inevitably challenges the attention of that distinguished body for consideration.

This House has passed already—and I may say by practically a unanimous vote, because no division was had on the vote—nearly every word of the new law that is contained in these sections. There are a few administrative propositions that are entirely new, but they are of such a character as to provoke no discussion and no opposition on the committee, so far as I know. There is but little opposition, in fact, to any of this legislation of the committee. As I remarked before, it was nearly all passed by the House heretofore.

Now the Senate has ample time to consider it. Really, the Senate has considered over there very much, if not nearly all, of the legislation that we are asking here. That they are prepared and ready to place that legislation on this bill, in conformity with the action of the House in passing these propositions, I have no any doubt.

Mr. LLOYD. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman yield?

Mr. MOON. I yield.

Mr. LLOYD. Is the provision in this bill with reference to assistant postmasters such as was in the original Moon bill?

Mr. MOON. No. The provision that the gentleman speaks of in reference to assistant postmasters that passed this House on a vote—and it was the only matter of contest in the other bill—is not in this bill at all.

Mr. Speaker, it is of the utmost importance that this House take such action as will retain, of course, the efficiency of the Postal Service at the minimum cost. Our Treasury is not, for reasons known to most of you, in the very best of condition. We ought to effect every economy that is possible. If the railway mail proposition in this bill is passed and becomes a law; if the administrative proposition, by which officials are charged and the postmasters of the country are required to perform their duties and the assistants are given positions under the civil service which they can fill and whose duties they can perform, so that every man in those offices shall be discharging the duties proposed by law; if the system of promotions here agreed upon, and the proposition known as the "blue-tag" proposition,

that will commit to the mails of this country in all of the four grand divisions, as it is now in two of them, certain second-class matter to be delivered in the full time that is required by law, there will be another saving of some \$4,000,000 of money. The importance of those things ought to be apparent to all of us.

I am going back to that question in another minute, because it just occurs to me at this second that I will answer the statement the gentleman from Kansas [Mr. Campbell] on the question of the rural carriers. The Post Office Department is of opinion that if the law is changed so that contracts might be made for the carriage of the rural mails instead of by carriers, a better service could be obtained at a reduction of \$18,000,000 per annum; and they have proposed, in an estimate in this bill, such a reduction. The committee has not agreed to the reduction. On the contrary, sir, the majority of the committee has reported to this House a measure of which the gentleman from Kansas ought to complain if he understood it—but he would not complain, however, if he did—a measure that will increase the expenses of this service two and one-half million dollars per annum, taking away from the Postmaster General the discretionary power in fixing the cost of the maintenance of these routes and actually giving an increase of \$100 to these carriers.

Now, that is a matter that has to be considered by you. I regret, I say, that a majority of the committee saw fit to bring in this amendment, but it has done so; and while, as the chairman of this committee, I propose to stand by its action, yet I can not afford to lose my own personal representative capacity and avoid the duties that fall upon me as an individual Representative here. I admit that is a mistake. I know that nearly all of you want the carriers' salaries increased, and generally I have no objection to it, but it is a mistake to take the mileage basis alone for the determination of the pay of carriers.

Let me give you one illustration: Take, for instance, a case in Tennessee. There is a carrier who carries the mail for 24 miles in an automobile and back. He carries about 3 pounds one way and 3 or 4 pounds the other way. He performs that duty in three or four hours. There are a hundred places in the West—particularly some in Colorado—where the carrier, traveling over bad roads, takes from 12 to 14 hours a day to perform his duties, and carries from 2,000 to 3,000 pounds each way, and he gets only \$1,200. Now, it is apparent to every just mind, or it ought to be, that that is an inequality that ought to be corrected. It can not be done except under an order similar to that issued by the Postmaster General, in which he takes as factors determining the compensation of the carrier not only the length of the route but the number of the packages carried and their weight. Now, if my friend from Kansas wants anything more done for rural carriers than that proposed in this measure, then I am afraid he is more interested in their welfare than he is in the interests of the country.

Mr. STEENERSON. Mr. Speaker, will the gentleman yield?

Mr. MOON. Yes; I do.

Mr. STEENERSON. Does not the provision for the pay of rural carriers contained in this rule repeal the action of the Postmaster General wherein he fixes the pay in proportion to the mileage traveled?

Mr. MOON. I am not urging this question, because I am in a delicate position. That is one of the suggestions I make to the House. I have an individual view in reference to the matter, and then I have a duty to perform as chairman of this committee. If we pass that section we will take away from the Postmaster General the right to consider anything except the miles traveled in fixing the pay, which is clearly wrong, as every just man, I think, will see.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HENRY. I yield to the gentleman five minutes more.

Mr. MOON. I know the interest of this House on that question of rural carriers. I want it understood that I am entirely friendly to them. I want to do anything that will be of benefit to them within the just and proper bounds of reason, and with due regard to the welfare and interest of the country. But we must conserve the Treasury of the United States. I do not speak by authority of the administration, because I have no authority to represent the administration upon that question, but I speak from a general knowledge and an accurate examination of the Federal revenues, and I believe that the administration, if called upon, would not deny the fact that from the beginning of the European war the revenues of the United States have been materially affected, as all industrial pursuits in this country have been. If you will go to the receipts and make your calculation, you will find that in the month of August the revenues of the United States decreased 1½ per cent, in September 2½ per cent, in October 4½ per cent, and in November 5½ per cent, and the indications are that the decrease for December will be over 7 per cent. If this thing continues, if this

business depression continues on account of the disturbance of our relations with foreign countries, we must look to the conservation of our revenues and cut off from every bill where we can strike off a dollar, and await a better time, when we can more justly expend the revenues of the people.

Mr. BUTLER. Will the gentleman yield for a question?

Mr. MOON. Yes; I yield to the gentleman from Pennsylvania.

Mr. BUTLER. Thank you very much, sir. In the opinion of the gentleman is not this the beginning of the end of what are known as the rural carriers?

Mr. MOON. No; I think not. I was going to say that there is a provision in this bill that requires the Postmaster General to experiment—

Mr. BUTLER. Yes.

Mr. MOON. In one county in each State. He does not have to take the whole county. He can take one route, and he is required to report whether we can have a better and a more efficient service at less cost than we now have, and still keep in consideration the propriety of adequate compensation to the carrier. Now, is it not wise that we make an experiment of that sort?

Mr. BUTLER. Will the gentleman permit another question?

Mr. MOON. In a moment. If it be true, as the Postmaster General insists, that under that system \$18,000,000 can be saved annually, is it not our duty to save it if thereby we protect the people?

Mr. BUTLER. There is no complaint about the service as now rendered, as I understand.

Mr. MOON. There is a great deal of complaint about it in some cases.

Mr. BUTLER. As a general thing, is not the rural carrier service a satisfactory one?

Mr. MOON. I should say, reasonably so.

Mr. BUTLER. It is not for that reason that the gentleman would advocate the making of this experiment?

Mr. MOON. No; not specially for that reason, but for the economy of the thing.

Mr. BUTLER. We just saved the country \$3,000,000 to-day on this vote that we took, when we decided that we would not have another agricultural census.

Mr. MOON. We did well to save money for the country, but if we save other millions we shall do better.

Mr. BUTLER. I understand that, but there are some things on which we can not probably be so economical.

Mr. MOON. I want to say to the gentleman and to other gentlemen of this House—and I do not mean to be personal when I say it—

Mr. BUTLER. I understand that.

Mr. MOON. That it is not time for us as Representatives to be afraid of rural carriers or anybody else. We have got to stand by the people of the United States on these questions. [Applause.]

Mr. BUTLER. I am not afraid.

Mr. MOON. I would not do any injustice to the rural carriers, but when the farmers of your country and my country and the business men everywhere are agreed on this proposition, and when every time there is a vacancy you have applications, and they say that this service can be and will be performed by other men for a term of years, four years or less, and not for life as these men now have it, at less expense, and if the money so saved can go to the building up of your roads and the extension of your Parcel Post System, or any other adequate or proper purpose that will give advantages and benefits to the people, the time is coming when you will understand, gentlemen, that standing by the rural carrier for the maximum rate of compensation is going to have its proper effect upon the people, because the people are not willing that this service shall be performed at that figure when there are hundreds of good farmer boys wanting an opportunity in life; and while a man has the job of carrying the mail for life at \$1,200 a year they have no opportunity or chance to participate in that service for the Government in their own neighborhood, the country people are not going to stand by you. I think if you are playing politics you are playing it on the wrong side.

Mr. BUTLER. I am not playing politics on it, because I suppose two-thirds of the carriers in my district are Democrats. I have never inquired.

Mr. MOON. I can not conceive how that could have happened. Under a Republican administration for years past, with these fellows covered into the civil service, I can not understand that two-thirds of them should be Democrats, because going in under a Republican administration, nearly every one of them in my country is a Republican. [Laughter.]

Mr. CAMPBELL. Mr. Speaker, I yield five minutes to the gentleman from Wisconsin [Mr. LENROOT].

Mr. LENROOT. Mr. Speaker, the Post Office appropriation bill, as has been stated, covers 54 pages. The new legislation in this bill covers 37 pages. Now, Mr. Speaker, riders in the way of legislation on appropriation bills are sometimes justified. I have sometimes voted for them. When the appropriation and legislation are so intimately connected that they should be considered together it is often a good reason. If a great emergency exists, that is sometimes a reason for supporting it. But, Mr. Speaker, on an appropriation bill to make 37 pages out of 54 new legislation in order is going wild upon this subject, and if it is to be begun now on this bill we might as well repeal the rule of the House that prohibits legislation upon appropriation bills.

Mr. Speaker, it has been stated that much of the new legislation contained in the bill has already been embodied in bills passed by the House and now pending in the Senate. That is true. The only reason given by the gentleman on the other side for including such legislation on this bill is that in no other way can legislation upon this subject be secured. Mr. Speaker, the Democratic Party is in control of the Senate, as it is in control of the House. To make the assertion that they do merely means that they confess the Democratic Party in control in the Senate can not be trusted to legislate in the public interest unless the House holds a club over them and forces them to do so. Mr. Speaker, I frankly admit that that is the strongest reason that can be urged for including new legislation in this bill; and you gentlemen may be correct in that, that your party can not be trusted to pass the important legislation independent of an appropriation bill.

But, Mr. Speaker, if the Democratic Party in the Senate can not be trusted to pass on the question independently, it can not be trusted to legislate upon it in an appropriation bill where it will go to conference, where the report will be presented to this House at midnight on the 3d day of March, the report read without a Member having an opportunity to know what is in the report, and be obliged to vote it up or down.

If this was independent legislation, we could vote the conference report down and send it back to conference until it was made as it ought to be. But upon an appropriation bill on the night of the 3d of March we will be forced to either accept such a bill as the conferees choose to present to the House or take the responsibility of convening a special session of Congress. It is not fair gentlemen, it is not right, it is not just that that alternative should be put up to Members of the House. Therefore from every standpoint, Mr. Speaker, this legislation, all of it at least, should not be included in the bill, and therefore the rule ought not to be adopted. I yield back the balance of my time.

Mr. CAMPBELL. Mr. Speaker, how much time does the gentleman from Wisconsin yield back?

The SPEAKER pro tempore (Mr. ABERCROMBIE). The gentleman from Kansas has 19 minutes remaining.

Mr. CAMPBELL. Mr. Speaker, I yield five minutes to the gentleman from Minnesota [Mr. STEENERSON].

Mr. STEENERSON. Mr. Speaker, I am opposed to this rule because it makes this legislation in order on an appropriation bill. As I stated in the minority report of the bill, I believe that this is a very bad practice and should not be resorted to except in great emergencies.

Mr. MOON. Does the gentleman say that he reported minority views?

Mr. STEENERSON. I reported my views.

Mr. MOON. I see that the report contains minority views; there was no minority report.

Mr. STEENERSON. I filed it as my views, but I did not put the heading on it. The printer is responsible for that. But, Mr. Speaker, the necessity does not exist in this case. The gentleman from Tennessee has stated that there is a large number of these provisions needed in the administration of the Post Office Department, and those have all passed the House, and he now wants them put onto this bill as a rider. I called his attention to the fact that many of these provisions, in fact all, except the one relating to the railway mail pay, were contained in the appropriation bill a year ago as reported by the committee. It was a rider, and it was stricken out on a point of order made by the gentleman from Georgia [Mr. BELL], presumably with the approval of the chairman, because he was then very much disgusted with the Committee on Rules for refusing to give him a rule because it abolished the assistant postmasters.

The administration at that time was not in favor of the abolition of assistant postmasters and the chairman of the committee was. They could not agree. You remember that the chair-

man was quite severe in his remarks on the Committee on Rules for refusing it. As a revenge for not putting in assistant postmasters his colleagues on the committee raised the objection themselves. They could have had it as a rider on an appropriation bill. It shows that there was no great emergency then, and it does not exist now.

In regard to the other provisions, they are very important. They contain a reduction of the salary of nearly every postmaster of the first and second class in the United States. We never have heard their side of that question. There are reductions of salary in other particulars. But the chief cause for this proposed new legislation on salaries is not economy, but spoils; that is the motive power behind it.

In regard to the railway mail pay provisions, we have passed that already; it is now in the Senate, and the only effect of passing it again will be to attempt to hold a club over the Senate to compel them to pass the provision, and if they do not they will hold up the Post Office supplies and stop the Postal Service. Since we passed that bill in the House there has been a report from the committee that worked two years on railway mail pay, and I understand the Senate has under consideration a different proposition. It would look improper and indelicate to try to force them to accept our views, under the circumstances. It would be resented, and it would result, as stated by the gentleman from Kansas, in a deadlock.

In regard to the question of economy, we are all in favor of economy, but it is a very remarkable thing that at the same time the gentleman from Tennessee speaks of this proposed economy he does not claim for one instant that the Postal Service is not self-sustaining nor that there is extravagance in administration. There is a surplus for the last fiscal year, and if there is a reduction in the volume of business, as he says, it is but the natural result of Democratic rule. We always do less business during Democratic years, and this will be no exception; but when the volume of business decreases expenses can also be reduced, and it does not follow there will be a deficit in postal funds on that account. I hope the rule will be defeated. It is the quickest way to defeat the attack on the Rural Delivery System. I append my views in the minority report.

[House of Representatives Report No. 1219, part 2, Sixty-first Congress, third session.]

POST OFFICE APPROPRIATION BILL.

Mr. STEENERSON, from the Committee on the Post Office and Post Roads, submitted the following minority views:

I am opposed to making the proposed new legislation a part of this bill. Although legislation by means of riders on appropriation bills is frequently resorted to and may sometimes be justifiable, it is only so in rare and exceptional cases.

The practice is liable to lead to ill-considered and carelessly drawn measures, which it is the aim of our legislative procedure to avoid.

In no instance, so far as I can learn, has legislation so complicated in form or so vital in its effects upon the interests of millions of people been proposed to be forced through in this manner without the consideration that its importance deserves.

Some of this legislation, notably that relating to railway mail pay, has already passed the House as a part of the Moon bill (H. R. 17042) and is now pending in the Senate.

Is it the plan to force favorable action in the Senate by a threat to withhold appropriation for the Postal Service unless they yield to the House? If so, I am afraid the plan will fail, and the only result may be to force a deadlock and prevent the passage of the whole bill and thereby force an extra session. Every one who believes that course to be wise will support this method, but I am persuaded it would be very unwise to do so.

The proposition to do away with assistant postmasters is also one full of contention and should not be forced upon the House in this manner. So is the proposition to authorize the Postmaster General to let all rural routes in one county in each State, on contracts to run four years, to the highest bidder.

This is only a wedge to begin the destruction of the whole Rural Delivery System, and should be considered apart from the appropriation for the service.

There are several other matters of nearly equal importance, all of which should be considered in due course of procedure and not under the whip and spur of a rule on an appropriation bill.

I am authorized to state that Mr. GRIEST and Mr. KENNEDY concur in above views.

Mr. HENRY. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, of course the legislation in this bill would be out of order if we had no rule. The reason of the rule is that it is important that this legislation should be enacted. My judgment is that there is no place where such legislation should be enacted as fit as the place where we make appropriations for the conduct of this great department.

We are appropriating \$322,000,000 in this bill, and perhaps before it is completed it will amount to \$325,000,000, and every particle of legislation in the bill relates to the manner in which the expenditures of the department shall be made, and seeks to regulate the conduct of the department along enlightened, intelligent, efficient business lines. The mere fact that the rules of the House prohibit legislation on an appropriation bill under ordinary circumstances ought not to be an objection to the inclusion of legislation in a bill of this character. This bill

deals with one great department of the Government. It deals with that department alone. It should deal with it in such a way that when the bill is enacted into law the men responsible for the conduct of the department will have before them all the information upon which they can base intelligent executive action; and it is only by the enactment of this legislation in the bill that the department will have the information which will enable the executive officers of the department to properly perform the responsible duties which they are called upon to perform.

Ordinarily when an appropriation bill deals with a large number of departments there ought not to be any legislation in the bill, but my judgment is that where a committee reports an appropriation bill covering the management of a great department, and one department only, not only should that committee report the appropriations, but it should report the legislation connected with it, and I do not care what the practice of the House has been in the past or what objections gentlemen may make to the policy of including legislation in a bill of this kind. The truth is that such legislation as this bill contains is not only salutary, but it is scientific. It is the result of great research on the part of the members of the committee and the executive officers of the department, as well as commissions appointed for the purpose of looking carefully into the questions involved. It is not haphazard legislation. It is legislation that has been well thought out, and I predict that the legislation contained in this bill will result in a more scientific conduct of the affairs of this great branch of our Government than has ever been the case in the past. We are fixing in this bill in some of the legislation a limit to the expense attached to the operation of the department by making salaries based upon the revenues of the department, and we are doing away with the rusty, moldy methods of the past by means of which men were paid on a mere guess.

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. CAMPBELL. Mr. Speaker, I yield five minutes to the gentleman from Wisconsin [Mr. STAFFORD].

Mr. STAFFORD. Mr. Speaker, this is the most drastic rule that has ever been presented to the House for its consideration during my 10 years of service. Of the 57 pages in the bill proper there are 27 distinct substantive legislative propositions. The rule is not drastic alone on the House, but more drastic on a coordinate branch of this Government, the Senate, for it is an open defy to the other body that unless they report on the legislation that was sent over to them last August and embody it in this appropriation bill there will be no Post Office appropriation bill passed before the adjournment of this Congress. The leaders of this House and the leaders of the other body are desirous of using their utmost efforts to bring this Congress to a speedy end, but with the adoption of this rule and the passage of these proposals, if the conferees are going to insist on their enactment, it jeopardizes finishing this bill before adjournment. No Post Office Committee has ever before asked for a rule for the consideration of so much substantive legislation, and I challenge anyone to present another example where any other committee has ever asked for such a rule. But more: These 27 substantive propositions it is not necessary to consider on this appropriation bill. I venture this prophecy, that if they were presented as separate bills they would find much speedier consideration in the other body than as a part of this appropriation bill. Consider the importance of some of these various provisions. Amendments are suggested providing for the reduction of pay of the postmaster's salary in every one of your districts, and I venture to say that there was only one Member, and that may be the gentleman from Illinois [Mr. MADDEN], because he has but one post office in his district, who knew the extent of the reductions of the salaries of the postmasters of his district as carried in that bill. That did not require any special rule. That would be in order under the Holman rule. Again, there is that great question that is now pending before the Senate committee—not pending before the Senate, as the gentleman from Tennessee [Mr. Moon] has said.

The Senate has given no consideration to the big question of railway mail pay adjustment, a matter on which the Post Office Department, as I am informed, and certain members of the Senate Post Office Committee are at odds as to whether the bill shall say that the rate shall be a fixed amount or not to exceed a fixed amount. Then, again, there is a provision here for the creation of supervisory officials at higher salaries. We provide in this bill for new supervisory officials at much higher salaries. Of course, that would not be in order under the Holman rule, because there is a distinct increase of salary provided by that amendment.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. MADDEN. The gentleman is entirely mistaken about providing for new supervisory officials. These men are in existence to-day, and this bill simply classifies them.

Mr. STAFFORD. Mr. Speaker, I do not stand corrected by the gentleman, even though he is the sponsor of the amendment, because there is nowhere in existing law any such office as superintendent of finance. That is a new office. Further, another purpose is to accomplish by indirection that which the Democrats could not accomplish by direction, namely, the elimination of the assistant postmasters in the country. The bill as directed by the committee contained a provision eliminating assistant postmasters, but we do not find that provision in this bill nor do we find any appropriation whatsoever to care for the assistant postmasters. Some will be appointed to these supervisory positions, if they are right, and if they are not, then the blame will be on Congress, because no appropriation was made for their continuance.

The SPEAKER pro tempore. The time of the gentleman from Wisconsin has expired.

Mr. CAMPBELL. Mr. Speaker, I yield five minutes more to the gentleman from Wisconsin.

Mr. STAFFORD. Then there is the blue-tag provision and other important provisions. It is my experience, and it must have been the experience of everybody in this House, that when legislation of any substantial character is put on an appropriation bill it neither receives deserved consideration of the committee nor does it receive the proper consideration of the House. This legislation when it has been brought in here on this appropriation bill will be rushed through, ill considered, slightly considered, just as the legislation in any omnibus bill is considered when presented in this House. These propositions are each and every one entitled to the very serious consideration of the entire membership of this House. It is lowering the dignity and standing of this House. Why, it is but a step, if one committee can bring in all the legislation reported by a department which meets the approval of the committee, embody it in bulk on an appropriation bill, to carry that rule to its logical extreme with one large appropriation bill carrying all the legislation recommended by the various departments. Is it necessary for me to say that practice is not conducive to good, deliberate legislation?

I again repeat, that if much of this legislation should have been reported in separate bills that legislation would have been passed by the Senate and passed through the Congress much sooner than it will be by these means. I feel quite certain in making this prediction, knowing the deadlock that exists between the Senate Committee on Post Offices and the Post Office Department as to the omnibus bill sent over last August, that its reincorporation and more in this bill will keep this Post Office appropriation bill in committee until the very end, and that in the closing hours of this session, in the midnight hours just before the adjournment on March 4, this bill will be brought in and no one will know the scope latent or intent of much of this most important legislation. No one will be able to detect whether the railroads, under the railway-mail pay proposition, are getting the better of it or whether the Government is getting its just deserts.

I say to you again that this is the most drastic rule that has ever been presented. It destroys the deliberative qualities that should engage this House in the consideration of legislation of this moment. Mr. Speaker, I yield back the balance of my time. [Applause.]

The SPEAKER. The gentleman yields back two minutes.

Mr. HENRY. Mr. Speaker, an innocent bystander might think there was some merit in the contention of gentlemen on the other side. Let us analyze their contention for a little while and see what it amounts to. This rule only makes in order certain matters of legislation that are reported in the Post Office appropriation bill, with one slight exception. This is the same rule that was presented to this House during the last session and was adopted without a division, even, and now the gentleman from Wisconsin [Mr. STAFFORD] undertakes to say that it is a very severe rule when his party did not see proper to call for a division when it was adopted on the other occasion.

Mr. CAMPBELL. Mr. Speaker, will the gentleman yield?

Mr. HENRY. I yield.

Mr. CAMPBELL. The reason for not opposing the rule at that time was the legislation was not proposed as a rider on an appropriation bill, and it did not include the beginning of the end of the rural route carriers.

Mr. HENRY. Then the party of the gentleman is guiltier than if it had pursued the other course. Mr. Speaker, a while

ago these gentlemen undertook to defeat an appropriation, and did defeat it, for the benefit of the American farmer, as they always do whenever they can strike a blow at the American farmer. They did that in the name of economy; and here to-day we have a bill reported from the Committee on the Post Office and Post Roads saving all the way from eight to ten million dollars, and then the gentleman from Wisconsin talks about economy on that side of the House—

Mr. STAFFORD. Will the gentleman yield?

Mr. HENRY. No; I can not yield.

Mr. STAFFORD. What is the necessity for any rule now, when you have the Holman rule?

Mr. HENRY. The gentleman usually knows everything about bills, because he studies them, but he does not seem to know anything about this rule. Why, he talks about it being a drastic rule, as he calls it. The rule simply makes certain matters that are in this bill not subject to a point of order, to state it in that fashion; otherwise the bill and all of these items are thrown wide open to amendment, and there is the utmost freedom of discussion. The gentleman can offer his amendments; the gentleman can debate them, and the thing is thrown wide open to let him talk as long as he wishes, if any rule could be made wide enough for that purpose. [Laughter on the Democratic side.]

Now, Mr. Speaker, these matters have been passed on in this House. The Committee on the Post Office and Post Roads is endeavoring to economize, and they have cut down expenditures from eight to ten million dollars. There is nothing new or strange in the bill or in the rule, yet gentlemen all of a sudden have become very active. Why? The answer is plain and manifest. They think they will play a little politics on economy and other matters, but let me say here and now and make the prediction that when the next election comes along in 1916 the Democratic Party will go to the country and will win again. [Applause on the Democratic side.] If you are going—

Mr. BUTLER. It surely will go to the country; we know that; that part we will concede, my friend. [Laughter on the Republican side.]

Mr. HENRY. But they will not go to the graveyard to find the gentleman's party. [Laughter on the Democratic side.]

The SPEAKER. Gentlemen must not interrupt a gentleman who has the floor.

Mr. BUTLER. I beg the gentleman's pardon; I did not mean to do so.

Mr. HENRY. Mr. Speaker, it does not interrupt or disturb me either. Now, if you are going to play politics, you must play them aboveboard. Lay your hands down on the table and let us see these things. You have got to play on straight lines. You can not talk about economy in one breath and say you are saving \$2,000,000 when we wanted to appropriate it for the benefit of the American farmer, and then, when we propose to have a saving of \$10,000,000, vote against the rule which authorizes a cut in the expenditures of the Government, so I advise you hereafter to study the rule more thoroughly and to study these special resolutions that are brought in a little more, in order to ascertain what they contain.

Mr. Speaker, I ask for a vote on the resolution.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. CAMPBELL. Mr. Speaker, I ask for a division.

The House divided; and there were—ayes 57, noes 47.

Mr. CAMPBELL. Mr. Speaker, I ask for the yeas and nays. The yeas and nays were ordered.

The question was taken; and there were—yeas 132, nays 149, answered "present" 1, not voting 146, as follows:

YEAS—132.

Abercrombie
Adamson
Alken
Alexander
Allen
Aswell
Bailey
Baker
Beakes
Bell, Ga.
Blackmon
Borchers
Brockson
Brodbeck
Broussard
Buchanan, Ill.
Buchanan, Tex.
Burgess
Burke, Wis.
Burnett
Cantor
Cantrill

Carter
Casey
Church
Connelly, Kans.
Conry
Cox
Crisp
Crosser
Cullop
Davenport
Dickinson
Dixon
Donovan
Dupré
Estopinal
Faison
Fergusson
Ferris
Finley
Fitzgerald
Flood, Va.
Floyd, Ark.

Fowler
Francis
Gallagher
Gard
Garner
Garrett, Tex.
Gerry
Gill
Gilmore
Gordon
Goulden
Griffin
Hardy
Harris
Harrison
Hayden
Helm
Helvering
Henry
Hensley
Hill
Holland

Houston
Howard
Hoxworth
Hughes, Ga.
Hull
Humphreys, Miss.
Igoe
Johnson, S. C.
Keating
Kent
Key, Ohio
Kirkpatrick
Korbly
Lazaro
Leshner
Lever
Levy
Lieb
Linthicum
Lloyd
Lobeck
Lobergan

McClellan	Oldfield	Saunders	Ten Eyck
McGillicuddy	Padgett	Sherwood	Thacher
Madden	Palmer	Slayden	Thomas
Maguire, Nebr.	Pou	Small	Thompson, Okla.
Mahan	Rainey	Smith, N. Y.	Tribble
Mitchell	Reed	Smith, Tex.	Underwood
Montague	Reilly, Conn.	Sparkman	Vollmer
Moon	Reilly, Wis.	Stephens, Nebr.	Watkins
Morrison	Rouse	Stephens, Tex.	Watson
Mulkey	Russell	Stringer	Williams
Murray	Sabath	Taylor, Ala.	Young, Tex.

NAYS—149.

Adair	Donohoe	Kinkaid, Nebr.	Rubey
Anderson	Doolittle	Kitchin	Rupley
Austin	Doughton	Knowland, J. R.	Scott
Avis	Edmonds	Kreider	Shackleford
Barchfeld	Edwards	Lafferty	Sherley
Barkley	Esch	La Follette	Sisson
Barnhart	Evans	Langley	Sloan
Bartlett	Falconer	Lee, Ga.	Smith, Idaho
Barton	Farr	Lenroot	Smith, Minn.
Beil, Cal.	Fess	Lindbergh	Stafford
Booher	Fields	McKellar	Steenerson
Borland	Fordney	McLaughlin	Stephens, Cal.
Browne, Wis.	Gallivan	MacDonald	Stephens, Miss.
Browning	Gardner	Mann	Stevens, Minn.
Bryan	Good	Mapes	Stone
Burke, S. Dak.	Goodwin, Ark.	Miller	Summers
Butler	Graham, Ill.	Mondell	Sutherland
Byrnes, S. C.	Gray	Morgan, La.	Switzer
Byrns, Tenn.	Green, Iowa	Morgan, Okla.	Talcott, N. Y.
Callaway	Greene, Mass.	Moss, Ind.	Taylor, Ark.
Campbell	Greene, Vt.	Murdock	Temple
Candler, Miss.	Gudger	Nelson	Thomson, Ill.
Caraway	Hamilton, Mich.	Norton	Towner
Carlin	Hamlin	Oglesby	Vinson
Cary	Haugen	Page, N. C.	Vinostead
Chandler, N. Y.	Heflin	Palge, Mass.	Walters
Cline	Helgesen	Parker, N. J.	Webb
Collier	Hinds	Peters	White
Connolly, Iowa	Hinebaugh	Peterson	Willis
Cooper	Howell	Phelan	Wingo
Copley	Hughes, W. Va.	Plumley	Winslow
Cramton	Humphrey, Wash.	Powers	Witherspoon
Curry	Jacoway	Quin	Woodruff
Danforth	Johnson, Ky.	Raker	Woods
Davis	Johnson, Wash.	Rauch	Young, N. Dak.
Decker	Kelley, Mich.	Roberts, Mass.	
Dershem	Kennedy, Iowa	Roberts, Nev.	
Dillon	Kennedy, R. I.	Rogers	

ANSWERED "PRESENT"—1.

Foster

NOT VOTING—146.

Ainey	FitzHenry	Lee, Pa.	Rothermel
Ansierry	Frear	L'Engle	Rucker
Anthony	French	Lewis, Md.	Scully
Ashbrook	Garrett, Tenn.	Lewis, Pa.	Seldomridge
Baltz	George	Lindquist	Sells
Bartholdt	Gillett	Loft	Shreve
Bathrick	Gittins	Logue	Sims
Beall, Tex.	Glass	McAndrews	Sinnott
Bowdle	Godwin, N. C.	McGuire, Okla.	Slomp
Britten	Goeke	McKenzie	Smith, J. M. C.
Brown, N. Y.	Goldfogle	Maher	Smith, Md.
Brown, W. Va.	Gorman	Manahan	Smith, Smil. W.
Bruckner	Graham, Pa.	Martin	Stanley
Brumbaugh	Gregg	Metz	Stedman
Bulkley	Griest	Moore	Stevens, N. H.
Burke, Pa.	Guernsey	Morin	Stout
Calder	Hamill	Moss, W. Va.	Taggart
Carew	Hamilton, N. Y.	Mott	Talbot, Md.
Carr	Hammond	Neeley, Kans.	Tavener
Clancy	Hart	Nolan, W. Va.	Taylor, Colo.
Clark, Fla.	Hawley	Nolan, J. I.	Taylor, N. Y.
Claypool	Hay	O'Brien	Townsend
Coady	Hayes	O'Hair	Treadway
Dale	Hobson	O'Leary	Tuttle
Deltrick	Hulings	O'Shaunessy	Underhill
Dent	Johnson, Utah	Park	Vare
Dies	Jones	Parker, N. Y.	Vaughan
Difenderfer	Kahn	Patten, N. Y.	Walker
Dooling	Keister	Patton, Pa.	Wallin
Doremus	Kelly, Pa.	Platt	Walsh
Driscoll	Kennedy, Conn.	Porter	Weaver
Drukker	Kettner	Post	Whaley
Dunn	Kless, Pa.	Price	Whitacre
Eagan	Kindel	Prouty	Wilson, Fla.
Eagle	Kinkad, N. J.	Ragsdale	Wilson, N. Y.
Elder	Konop	Rayburn	
Falchlid	Langham	Riordan	

So the resolution was rejected.

The Clerk announced the following additional pairs:

Until further notice:

Mr. BROWN of West Virginia with Mr. BARTHOLDT.

Mr. BROWN of New York with Mr. FREAR.

Mr. CAREW with Mr. FRENCH.

Mr. CLARK of Florida with Mr. DAVIS.

Mr. DENT with Mr. ANTHONY.

Mr. DOREMUS with Mr. DRUKKER.

Mr. DIES with Mr. GRIEST.

Mr. DOOLING with Mr. BURKE of Pennsylvania.

Mr. FOSTER with Mr. MCKENZIE.

Mr. HAY with Mr. KAHN.

Mr. UNDERHILL with Mr. HAYES.

Mr. WHALEY with Mr. GILLETT.

Mr. WALKER with Mr. HAWLEY.

Mr. VAUGHAN with Mr. JOHNSON of Utah.

Mr. O'SHAUNESSY with Mr. KEISTER.

Mr. PARK with Mr. LANGHAM.

Mr. POST with Mr. MOORE.

Mr. RUCKER with Mr. MOSS of West Virginia.

Mr. STEDMAN with Mr. PATTON of Pennsylvania.

Mr. STOUT with Mr. PROUTY.

Mr. TAVENNER with Mr. SINNOTT.

Mr. TAYLOR of Colorado with Mr. J. M. C. SMITH.

Mr. TOWNSEND with Mr. TREADWAY.

Mr. MANAHAN. Mr. Speaker, I desire to vote "no."

The SPEAKER. Was the gentleman in the Hall, listening?

Mr. MANAHAN. I was in the entrance to the Hall.

The SPEAKER. Whereabouts?

Mr. MANAHAN. Right outside the door.

The SPEAKER. Then the gentleman does not bring himself within the rule.

Mr. COADY. Mr. Speaker, I desire to vote "aye."

The SPEAKER. Was the gentleman in the Hall, listening?

Mr. COADY. I came in just as my name was called.

Mr. MANN. Why did he not answer, then?

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. COADY, and he answered "Aye."

Mr. MANN. Why did he not answer, then?

The SPEAKER. Where was the gentleman when his name was called?

Mr. COADY. Just outside the door.

The SPEAKER. Then the gentleman can not vote.

The result of the vote was announced as above recorded.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed without amendment bill of the following title:

H. R. 6867. An act to increase and fix the compensation of the collector of customs for the customs collection district of Omaha.

The message also announced that the Senate had passed joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

S. J. Res. 213. Joint resolution authorizing the Secretary of the Senate and the Clerk of the House to pay the officers and employees of the Senate and House, including the Capitol police, their respective salaries for the month of December, 1914, on the 22d of said month.

SENATE BILL AND JOINT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, Senate bill and joint resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 5434. An act authorizing the Secretary of the Interior to grant permits to the occupants of certain unpatented lands on which oil or gas has been discovered, and authorizing the extraction of oil or gas therefrom; to the Committee on the Public Lands.

S. J. Res. 213. Joint resolution authorizing the Secretary of the Senate and the Clerk of the House to pay the officers and employees of the Senate and House, including the Capitol police, their respective salaries for the month of December, 1914, on the 22d day of said month; to the Committee on Appropriations.

POST OFFICE APPROPRIATION BILL.

Mr. MOON. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the Post Office appropriation bill.

The SPEAKER. The gentleman from Tennessee [Mr. MOON] moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 19906, the Post Office appropriation bill.

Mr. MOON. Mr. Speaker, pending that motion, I ask unanimous consent that the general debate be limited to six hours, three hours to be controlled by the chairman of the committee and three hours by the gentlemen of the minority, represented by the gentleman from Minnesota [Mr. STEENERSON].

Mr. STEENERSON. How much time has the gentleman suggested?

Mr. MOON. Six hours; three to a side.

Mr. STEENERSON. I have had several applications that came in since this matter came up.

Mr. MOON. Oh, well, the House has refused to pass the rule, and I propose to strike from the bill everything that is subject to a point of order. There ought not to be two hours of discussion.

Mr. STEENERSON. All right. I will agree to three hours to a side.

The SPEAKER. Pending the motion to go into the Committee of the Whole House on the state of the Union, the gentleman from Tennessee asks unanimous consent that the debate be limited to six hours, three hours to be controlled by himself and three hours to be controlled by the gentleman from Minnesota [Mr. STEENERSON] in the absence of the gentleman from Michigan [Mr. SAMUEL W. SMITH]. Is there objection?

There was no objection.

Mr. UNDERWOOD. Mr. Speaker, pending that motion I desire to make a request for unanimous consent. The resolution adjourning the two Houses next Wednesday night, to meet on the Tuesday morning after Christmas, has already passed both Houses. Wednesday is Calendar Wednesday. I find that there are a great many Members who want to go away on Wednesday who are interested in Wednesday's calendar, and we shall probably have either this or some other appropriation bill that can take the time on Wednesday, and possibly the prohibition question may either run so late in the night on Tuesday, or we would have to stay late in the night if it is necessary, and Wednesday is not dispensed with; and I rise for these reasons to ask unanimous consent that next Calendar Wednesday, the 23d, be moved over to Tuesday the 29th.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] asks unanimous consent that the business of next Wednesday, under the Calendar Wednesday, be transferred to Tuesday the 29th.

Mr. WEBB. Mr. Speaker, reserving the right to object, I would like to ask if that will interfere with Wednesday the 30th?

Mr. UNDERWOOD. It would simply mean that there would be two Calendar Wednesdays, one on Tuesday and one on Wednesday, the 29th and the 30th, Tuesday the 29th and Wednesday the 30th; and the business that would be in order on Calendar Wednesday would be in order both on Tuesday the 29th and on Wednesday the 30th.

Mr. WEBB. I am a little afraid that we will have the same difficulty to find a quorum on Tuesday that we would have on Wednesday, but I have no objection.

Mr. ADAMSON. Mr. Speaker, I want to make the same suggestion that the gentleman from North Carolina [Mr. WEBB] makes, that it would be perhaps as difficult to get a quorum on Tuesday the 29th as on Wednesday the 30th. It might be that there would be a poor attendance and the point of no quorum be made, so that the 29th might be lost as a day.

Mr. MANN. Does the gentleman from Georgia think it would be inconvenient for him to be here on the 29th?

Mr. ADAMSON. I frankly admit that I will not be here.

The SPEAKER. Is there objection to the request?

Mr. COOPER. Mr. Speaker, do I understand that the request is to have Calendar Wednesday go over until December 29?

The SPEAKER. Yes.

Mr. COOPER. I shall object to that, but I would not object to its going over until December 31.

Mr. ADAMSON. I hope the gentleman will substitute December 31.

Mr. UNDERWOOD. Well, Mr. Speaker, I will ask unanimous consent that business in order on Wednesday the 23d be in order on Thursday the 31st.

The SPEAKER. The gentleman from Alabama asks unanimous consent that business in order on Wednesday, December 23, be transferred to Thursday, December 31. Is there objection?

Mr. FOSTER. Reserving the right to object—

Mr. WEBB. Does that mean that the bill now pending on Calendar Wednesday will not be in order on Wednesday, December 30?

Mr. ADAMSON. It means that you will have two Calendar Wednesdays.

Mr. UNDERWOOD. It does not affect the status of that bill at all.

The SPEAKER. The Chair thinks it would not affect the status of the bill.

Mr. FOSTER. Mr. Speaker, I think if we are going to displace Calendar Wednesday we ought to stick to the original request of the gentleman from Alabama and have it on Tuesday.

Mr. UNDERWOOD. But you can not have it on Tuesday, for gentlemen object.

Mr. FOSTER. I am not objecting to Tuesday, but I am objecting to Thursday.

Mr. UNDERWOOD. I can not go back to that request now.

Mr. FOSTER. It will take one extra day out of the work of the House.

Mr. UNDERWOOD. I will say that I am not going away myself. I intend to be here, but I am making an attempt to

get this order for the good of many Members who want to get away.

Mr. FOSTER. Here is the situation: We adjourn over until Tuesday, and Members object to that as Calendar Wednesday for fear there will not be a quorum.

Mr. MANN. The real reason is that the Members who have charge of bills do not expect to be back on that day.

Mr. ADAIR. Mr. Speaker, I object to the whole business.

The SPEAKER. The gentleman from Indiana objects. The question is on the motion of the gentleman from Tennessee that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the Post Office appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. SAUNDERS in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 19906) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1916, and for other purposes, and the Clerk will read the bill.

Mr. MOON. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to dispense with the first reading of the bill. Is there objection?

There was no objection.

Mr. MOON. Mr. Chairman, I have but little to say in the discussion of this bill. Important features of the bill have been eliminated by the rejection of the rule. The rule was entirely essential for us to consider the railway mail proposition, the saving that would be effected in the change of postmasters' salaries, in the blue-tag proposition, and a number of other matters not necessary now to discuss, which would have saved to the Government eight or ten millions of money. I will place as an appendix to my remarks my report on the bill.

I want to congratulate the Republican Party in this House on the splendid victory it has won over the people in connection with the railroads of the United States and the rural carriers and the postmasters this afternoon. I am not deceived, Mr. Chairman, as to what defeated the rule in this House under which we could have saved the Government eight or ten millions of money. I am not deceived as to the influences that have prevented the consideration of measures that would have saved \$20,000,000 to the Government.

I used to think, long years ago, that the Republican Party was the only friend and ally of railroads, corporations, and trusts when they make illegal and unjust demands. I believed when it was driven from power and a Democratic administration put in power that the demands of that administration for economy and justice in the transportation of mails and the handling of all economic questions of the country would be responded to. Who is it that does not know the power and influence that has prevented the consideration in the Senate of the United States of this railway mail proposition? Who is it that reads the record of this vote this evening, when you are prohibiting the consideration of questions before this House in order to get direct action on them by the Senate, will not understand it? Who is it that will read the Record who will not have their ideas as to the influences that are behind that action that prevented the Congress of the United States from considering the just compensation to be paid to the railroads for the transportation of the mails? These roads to-day are advocating and sustaining the old unjust and unscientific proposition of weighing mails quadrennially upon which to base the pay. They know that there is a steal of two to four million dollars every year under that system. That has been going on since 1873. You know it, too, and yet you vote here to prevent the Congress of the United States from considering a question that will protect the American people against such plundering of its Treasury.

Sirs, you have the right, if you think best, to do it; and I have the right to express my opinion on the unpatriotic position of gentlemen who take that attitude in this House. I do not care whether he is a Democrat or a Republican. Shall the letters "R. I."—railroad influence—be branded on his brow when he goes back to his constituency and tells them that he would not consider a question under which their rights might be protected?

Mr. Chairman, I regret to say that with this great Democratic majority of 141 votes here there is neither discipline nor order; there is no disposition to practice the economy and carry out the platform of the party on that line. There is but little dis-

position to follow the lead of the President of the United States in attempting to reduce the expenses of this Government. Think of it! Here is a bill under which the Postmaster General estimated that \$299,211,014 would pay all of the expenses of the Government for the fiscal year if the economies asked for and the administrative legislation asked for under this rule could be accomplished. And yet you see that the committee, over the protest of some of us, decline to give all the legislation asked for, necessitating an estimate of \$325,000,000; but we did succeed in reporting to this House under the new and revised estimate a bill that carried about \$321,000,000. That ought to have been satisfactory to the advocates of the postmasters and rural carriers and Treasury grabbers in this House. That ought to have been enough. But we reported with it legislation that would have saved \$10,000,000 if enacted by this Congress, and here you have turned it down. What caused changes in votes after the roll call enough to defeat the rule. I say that the responsibility is on the Democratic Party. Gentlemen, you have not done your duty to the people on this vote. You have not done it in many other respects. You have shown the fact that you are too cowardly to stand by the doctrines of economy in the interest of the American people. [Applause.]

Gentlemen, like craven cowards, destroying every vestige of respect that a decent Democrat should have, follow the lead of the Republican Party, repudiate the Democratic President, the Democratic Postmaster General, the Democratic Rules Committee, and the Democratic Post Office Committee of this House, for what? Was it at the command of the rural carriers? Was it at the command of the postmasters? Or, tell me, was it at the command of the railroads of the country? Do you want them still to plunder the Treasury? I think more of my country than I do of the Democratic Party, and if we are to return to the Sixty-fifth Congress a Democratic majority, then, in the name of God, let it be of Democrats who stand for the Republic and not for the railroads. [Applause.] But are you going to do it. Was it your inability and inefficiency or your unwillingness to stand by the people that reduced your majority from 141 to 31? If you had stood by the President and his administration, there would have been no such reduction. And still you can not see the truth. You can not stand here and oppose the administration in legislation that it is asking, in the interest of the country and in the interest of the Treasury, and cast your votes for the maintenance of high salaries, for absolute subjection to the will of the carriers, and at the mandate of the railroad companies, and deceive the American people. It ought not to be done. Men who do it are worthy of rejection at the polls at any election, and they ought to be rejected. Now, Mr. Chairman, I have said all that I desire to say on that question. You have stricken from this bill all of the legislation that is of any benefit. You have absolutely destroyed the interest that the administration has had in producing economy. You can now only take up the appropriation and fix just such sum as you think ought to be given. There is but little change so far as the actual appropriation for the coming fiscal year is concerned.

Mr. HENRY. Mr. Chairman, will the gentleman yield for a question?

Mr. MOON. Yes.

Mr. HENRY. I have not heard quite all of the gentleman's remarks, but I understood that he stated that the railroad influence was opposed to certain features of legislation embraced in the special rule and in the bill.

Mr. MOON. The railroad companies of the United States are opposed to this legislation in this bill and to the legislation that has gone to the Senate on that question.

Mr. HENRY. I want to say this, that the Committee on the Post Office and Post Roads asked for this special rule; the Postmaster General asked for it, the administration asked for it, and the only protest or opposition that came to the Committee on Rules against the special rule came solely and exclusively from the railroad influences in the United States.

Mr. MANN. Name them. What were they? Who represented them?

Mr. HENRY. I can name them.

Mr. MANN. Name them.

Mr. STAFFORD. We defy you to name them.

Mr. DONOVAN. A point of order.

Mr. HENRY. I will read the telegram.

Mr. DONOVAN. Mr. Chairman, the gentleman from Illinois is clearly out of order in injecting the remarks that he has into this debate.

Mr. HENRY. The gentleman need not be uneasy. I will take care of myself. I will name them. I say that the railroads tried to defeat this special rule in the Committee on Rules.

Mr. MOON. Mr. Chairman, I do not know—I would not undertake to say, and I have not said, that the railroads have brought any direct influence upon any Member of this House. I do not know how that is, but I have always been taught to understand that the combination of circumstances that excludes every hypothesis of innocence consistent with the fact has great force in determining the judgment of a man as to the incentive or the motive for a crime. All I know about this is that the railroad companies fought this bill in committee; that 15 presidents or other officials of railroad companies a year ago came to that committee room and urged upon me that this action be not taken in reference to this measure on railway mail pay. Their chief counsel was there but a day or two ago urging the same. They had reached the conclusion, whether justly or not, that they could delay the action upon the bill that went over from this House to the Senate some time ago—a bill in which we passed identically the measure asked for in this rule. They had reached the conclusion that they could delay the action there upon that bill until this session was over. In order to prevent that delay we placed that bill upon this appropriation bill, so as to force the Senate to act upon it. Then what do you see? You see the action in this House on the rule. I am not blaming the Republican Party. They are playing politics. That is all right for them. They think if they can get at the Democracy in any way they ought to do it. But while I would not reflect upon the ability of the Democrats on this side of the House, they played us well for foolish on this occasion. [Laughter.]

Mr. OGLESBY. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from Tennessee yield to the gentleman from New York?

Mr. MOON. Yes.

Mr. OGLESBY. Did not the gentleman see the ring around the desk of men who changed their votes from aye to no after voting for the proposition?

Mr. MOON. Yes; I saw a good many of them.

Mr. OGLESBY. Is not the gentleman satisfied in his own mind that enough votes were changed there to change the result on this proposition?

Mr. MOON. I think so. I do not know, however.

Mr. OGLESBY. Does the gentleman think there was any railroad influence that got into this Chamber between the first vote and the changes, that made those gentlemen change their votes?

Mr. MOON. Mr. Chairman, the gentleman will have to understand that the parliamentary situation is such, that the rules of the House are such, and that my respect for my colleagues is such that I would not like to designate personally the men who have made the changes. I do not know that those men who went down there about the Clerk's desk and changed did so on account of railroad influence. I do not know whether these back here who voted "no" were changed on account of it, but I said and I say now that all the facts and circumstances connected with this legislation, from the beginning to the end, in view of the arguments that I have heard after that roll call began among some men on this side of the House—and I will not break the etiquette of this House by speaking personally—I believe, if you want to know, that there has been and is enough, although I may not prove it, and I only judge it inferentially from the facts that are before me—there is and has been enough railroad influence on the Democratic side of this House to force the betrayal of the Democratic policies and principles and the wishes and the principles of the President and his Cabinet.

Mr. OGLESBY. Mr. Chairman, will the gentleman permit me one more question?

Mr. MOON. Yes; as many as you want to ask. Do you belong to that gang?

Mr. OGLESBY. The gentleman has stated that he heard some arguments. Did the gentleman hear any argument except the fact that it reduced the pay of postmasters throughout the country?

Mr. MOON. Yes; I heard arguments that it reduced the pay, oh, to a wonderful amount, which is not true.

Mr. OGLESBY. Did the gentleman hear any other argument?

Mr. MOON. Oh, yes; I heard other arguments on the question of the reduction of salaries of carriers, and that some would be promoted; but does the gentleman think that I am fool enough or that he is fool enough to believe that if a man were here in the interest of railroad companies and wanted to defeat this bill he would offer the railroad argument? Only an idiot would do that. [Laughter.] It is the man who takes some other line who is effective. The gentleman has been here

long enough or has had too little experience with these people to be innocent enough to ask me a question like that. Do you think the railroad companies ever come to bribe men, or that their agents, wherever they may be, resort to any but the most insidious methods?

Mr. OGLESBY. Did the gentleman hear any suggestion on the floor during the interval between the first and second call of the roll which referred in any way to an argument that might influence these people on account of railroad interests?

Mr. MOON. Mr. Chairman, I have just said to the gentleman that when a man wants to cover a fight he resorts to other and insincere arguments. It would be disreputable, it would be dishonorable for a Member of this House to say "I am against this rule because the railroad companies told me so," but when he knows how popular it is to appeal for the rural carriers, how popular it is to say that he does not want the salaries of his postmasters reduced, he, standing against the prime object and purpose of this bill, will take up these little collateral issues and press them upon men who ought to know better and have better sense, and thus obtain a change of votes. Of course it is idle to talk about a man disclosing a criminal purpose when he can avoid it.

Mr. OGLESBY. Will the gentleman permit me to say that I was not among those who changed their votes?

Mr. MOON. I thought the gentleman was.

Mr. OGLESBY. I do not believe the men who came down here and made the change of the votes made the change because of any railroad influence, and I think it is an unjust imputation on the part of the gentleman to say so. [Applause.]

Mr. MOON. Mr. Chairman, I have not said they did myself. I do not know. I say the facts and circumstances indicate that the railroad interests or some other sinister influence has prevented the majority party in this House from standing up to the administration on this legislation, and I have no apologies to make to any man upon that subject—I do not care who he is—and I have not much respect for the inquiry of a man that is so infernally innocent as to think that crime will disclose itself in the open.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. MOON. Certainly.

Mr. MANN. Did we not in this House pass a bill in the last session containing the provisions in reference to railroad mail pay that are in this bill?

Mr. MOON. We certainly did; but that was long before they got a good hold on us.

Mr. MANN. Practically without opposition in the House?

Mr. MOON. Yes.

Mr. MANN. I understand that has not made any progress in a Democratic Senate.

Mr. MOON. I understand not.

Mr. MANN. The gentleman thinks that the influence that keeps it from making progress is that the railroads have their grip around the gentlemen who constitute the Democratic Party, here or elsewhere?

Mr. MOON. I have said what I have said. [Laughter on the Republican side.]

And now, Mr. Chairman, it is not a pleasant thing for me to discuss matters of this sort. I am a Democrat and expect always to be one, because my views are in accord with the principles and policies of that great party; and that it may be sustained I advocate and support the election of its nominees. But a party can not maintain itself in this House or elsewhere that is unwilling to cooperate, from any influence, whether it be sinister or otherwise, with the great head and leader of the party, whatever party that may be, who happens to be in the White House. I do not believe in subservient obedience to the will of the White House. I am ready to say when I think the White House is wrong that it is wrong, that I can not follow it, because the White House itself, in my judgment, may be against the principles and the policies of my party.

I have said that even on this floor, and I have no retraction to make along that line; but I believe that proper party organization is best for the welfare and interest of the country, and that wherever a party is in power it ought to follow as far as it can in the legislative branch the advice of the Executive and his Cabinet, made plain by them on administrative and economic matters in pursuance of the doctrines of the platforms of the party to the end that the people may have good government. No subservience to any man should be the motto of Democracy, but united organization and action, the uplifting of a banner under which all men agreeing on the same principles and policies may rally, is proper; and when there is a mutiny in the camp, when there is desertion of the standard, when there is a throwing down of the battle flag of a great party upon which is emblazoned retrenchment, economy, and reform,

then it is but just that they shall be reminded of their disloyalty so that if they be innocent of wrong intent they may correct their error. If we are to have that kind of Democracy which opposes economy, then maybe we shall have a few years of Republicanism.

Mr. MANN. You will.

Mr. MOON. Now, Mr. Chairman, as I have said before, there is nothing left in this bill except the mere matter of routine appropriations. The changes are but slight from the bill as reported last year. When they are reached some member of the committee will take pleasure in explaining the reasons in accordance with the hearings for the changes in the sums appropriated. When we shall reach in the consideration of this bill the matters that are not in order in the absence of the rule, I shall not wait to ask that they be stricken out on the point of order, but I will ask that they may all go out so we may not trouble ourselves with the consideration of that legislation which our good friends who refused us the rule say shall not be considered in the Democratic House of Representatives unless the rejection of the rule is reconsidered. I charge no man with corruption, but with most egregious error when, intentionally or not, he permits himself to appear and act in opposition to the best interests of his party and country.

APPENDIX.

[House of Representatives, Report No. 1219, 63d Cong., 3d sess.]

POST OFFICE APPROPRIATION BILL.

Mr. MOON, from the Committee on the Post Office and Post Roads, submitted the following report:

The Committee on the Post Office and Post Roads, in presenting the bill making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1916, and for other purposes, submits the following:

The appropriations for the fiscal year ending June 30, 1915, were \$313,364,667. The estimates of the department for the fiscal year ending June 30, 1916, on the basis of the enactment of the new laws proposed by the department, which would reduce the expenses of the Government in the transportation and handling of the mails, if adopted, are \$299,211,014. This amount is shown from the report of the Auditor for the Post Office Department, together with the comparison of the postal revenues and expenditures for the fiscal years 1913 and 1914 and the appropriations, receipts, expenditures, and deficiencies and surplus from 1897 to 1915, as follows:

Estimates by the Post Office Department for the Postal Service for the fiscal year ending June 30, 1916.

Office of the Postmaster General	\$1,522,910
Office of the First Assistant Postmaster General	138,530,850
Office of the Second Assistant Postmaster General	109,282,004
Office of the Third Assistant Postmaster General	3,108,250
Office of the Fourth Assistant Postmaster General	46,767,000

Total 299,211,014

[From the report of the Auditor for the Post Office Department.]

POSTAL REVENUES AND EXPENDITURES.

The audited revenues of the Postal Service stated from July 1, 1913, to June 30, 1914, aggregated \$287,934,565.67; the audited expenditures, \$283,543,769.16; and the excess of audited revenues over audited expenditures, \$4,390,796.51. Deducting \$14,333.46, postal funds lost by burglary, fire, bad debts, etc., the audited postal surplus was \$4,376,463.05.

No. 1.—Comparison of postal revenues and expenditures, fiscal years 1913 and 1914.

Fiscal years.	Audited postal revenues.	Audited postal expenditures.	Adjusted losses and contingencies, postal funds.	Audited postal surplus.
1914.....	\$287,934,565.67	\$283,543,769.16	\$14,333.46	\$4,376,463.05
1913.....	266,619,525.65	262,067,541.33	41,333.41	4,510,650.91
Increase.....	21,315,040.02	21,476,227.83		
Decrease.....			26,999.95	134,187.85
Rate of increase (per cent).....	7.99	8.19		

Years.	Appropriation.	Receipts.	Expenditures.	Deficiency.
1897.....	\$92,571,564.22	\$82,665,462.73	\$94,077,242.33	\$11,411,777.65
1898.....	95,065,338.75	89,012,618.55	98,033,523.61	9,020,905.06
1899.....	99,202,300.75	95,021,384.17	101,632,160.92	6,610,776.75
1900.....	105,627,138.75	102,354,579.29	107,740,267.99	5,385,688.70
1901.....	113,658,238.75	111,631,193.39	115,554,092.87	3,923,727.48
1902.....	123,782,688.75	121,848,047.26	124,785,697.07	2,937,649.81
1903.....	138,416,598.75	134,224,443.24	138,784,487.97	4,560,044.73
1904.....	153,511,549.75	143,582,624.34	152,362,116.70	8,779,492.36
1905.....	170,845,998.75	152,826,585.10	167,399,169.23	14,572,584.13
1906.....	181,022,093.75	167,932,788.00	178,449,779.00	10,516,996.00
1907.....	191,670,998.75	189,585,005.57	189,935,242.79	6,350,237.22
1908.....	212,091,193.00	191,478,663.41	208,351,886.15	16,873,292.74
1909.....	222,960,892.00	203,562,383.07	221,004,102.89	17,441,719.82
1910.....	234,662,370.00	224,128,657.62	229,977,224.50	5,848,566.88
1911.....	245,949,603.32	237,879,823.60	237,648,926.68	1,219,118.12
1912.....	258,525,000.38	246,744,015.88	248,525,450.08	1,785,523.10
1913.....	271,460,099.00	266,619,525.65	262,067,541.33	4,510,650.91
1914.....	288,031,271.00	287,934,565.67	283,543,769.16	4,376,463.05
1915.....	313,364,667.00			

¹ Surplus.

The Post Office Department has revised its estimates in view of the fact that the committee did not adopt the principal legislation recommended by it to reduce the expenses of the department, and submit revised estimates aggregating the sum of \$325,129,614. These esti-

mates were so closely made that the committee found it unwise, as to most of the items, to make any change in the sum. The amount recommended by the committee is \$321,700,514, or \$3,429,100 less than the revised estimates of the department.

The following tables show the appropriation for 1916 in the office of the Postmaster General and the First, Second, Third, and Fourth Assistants, and in them may be found the separate items of appropriation under the jurisdiction of each of these offices and the total of all appropriations, estimates, and recommendations:

Post Office appropriation bill, 1916.

	Appropriation for 1915.	Estimates for 1916.	Committee recommends for 1916.
POSTMASTER GENERAL.			
Rent, suitable buildings.....	\$32,000	\$32,000	\$32,000
Gas, electric power, etc.....	4,500	4,500	4,500
Post-office inspectors:			
Salaries.....	779,500	783,700	783,700
Per diem.....	261,400	262,860	262,860
Clerks at headquarters.....	134,000	134,000	134,000
Traveling expenses.....	43,750	43,850	43,850
Livery hire.....	45,000	45,000	45,000
Miscellaneous expenses.....	7,500	7,500	7,500
Payment of rewards.....	25,000	25,000	25,000
Acting employees for those injured.....	134,500	183,500	183,500
Traveling expenses.....	1,000	1,000	1,000
Total.....	1,468,150	1,522,910	1,522,910
FIRST ASSISTANT POSTMASTER GENERAL.			
Compensation to postmasters.....	30,750,000	30,750,000	30,750,000
Compensation, assistant postmasters.....	3,200,000		
Compensation, clerks and employees.....	46,082,100	51,939,100	48,860,000
Compensation, printers and mechanics.....	44,600	44,600	44,600
Compensation, watchmen, messengers, etc.....	1,404,000	1,450,000	1,450,000
Compensation, clerks charge contract stations.....	1,100,000	1,200,000	1,200,000
Compensation to substitutes, first and second class offices.....	450,000	450,000	450,000
Temporary and auxiliary clerk hire.....	2,000,000	2,000,000	2,000,000
Separating mails, third and fourth class offices.....	675,000	675,000	675,000
Unusual conditions at post offices.....	90,000	100,000	100,000
Allowances, third-class offices.....	1,700,000	1,700,000	1,700,000
Rent, light, and fuel, first, second, and third class offices.....	5,200,000	5,400,000	5,400,000
Miscellaneous items, first and second class offices.....	350,000	350,000	350,000
Operation Washington-Alaska cable system.....		300,000	
Pay of letter carriers.....	37,700,000	38,760,000	38,760,000
Substitutes for letter carriers.....	2,975,000	3,500,000	3,500,000
Letter carriers at new offices.....	109,000	80,000	80,000
Horse-hire allowance.....	2,300,000	2,600,000	2,600,000
Car fare and bicycle allowance.....	525,000	565,000	565,000
Street-car collection service.....	10,000	10,000	10,000
Detroit River postal service.....	6,500	7,250	7,250
Emergency car fare, special-delivery messengers.....	13,000	13,000	13,000
Fees to special-delivery messengers.....	2,225,000	2,225,000	2,225,000
Traveling expenses.....	1,000	1,000	1,000
Total.....	138,901,203	144,119,950	140,740,850
SECOND ASSISTANT POSTMASTER GENERAL.			
Inland transportation by star routes, Alaska.....	304,000	350,000	350,000
Steamboat transportation.....	1,049,400	1,059,000	1,059,000
Mail messenger service.....	2,000,000	2,200,000	2,200,000
Transmission by pneumatic tube.....	966,800	972,500	972,500
Screen-wagon service.....	2,000,000	3,141,000	3,141,000
Inland transportation by railroads.....	56,188,000	58,214,000	58,214,000
Freight or expressage, postal supplies.....	510,000	650,000	650,000
Railway post-office car service.....	5,412,000	4,600,000	4,600,000
Railway mail service.....	28,521,440	30,429,825	30,429,825
Travel allowance, railway mail clerks.....	1,534,500	1,544,339	1,544,339
Temporary clerk hire.....	67,500	110,000	110,000
Substitutes for clerks on vacation.....	143,900	212,580	212,580
Actual and necessary expenses.....	55,200	55,000	55,000
Rent, light, fuel, etc., division headquarters.....	770,000	799,500	799,500
Per diem allowance, assistant superintendents.....	3,607	2,660	2,660
Transportation by electric and cable cars.....	784,000	851,000	851,000
Experimental aerial service.....		50,000	
Transportation of foreign mails.....	4,000,000	3,930,000	3,930,000
Assistant superintendent foreign mails.....	2,500	2,500	2,500
Balance due foreign countries.....	681,800	681,700	681,700
Delegates International Postal Union.....		5,000	
Traveling expenses.....	1,000	1,000	1,000
Total.....	105,595,647	109,921,604	109,871,604
THIRD ASSISTANT POSTMASTER GENERAL.			
Manufacture postage stamps.....	810,000	810,000	810,000
Manufacture stamped envelopes.....	1,650,000	1,650,000	1,650,000
Pay of agents and assistants, distribute stamped envelopes.....	20,500	15,500	15,500
Manufacture postal cards.....	385,000	385,000	385,000
Ship, steamboat, and way letters.....	250	150	150
Payment limited indemnity, domestic.....	110,000	226,000	226,000
Payment limited indemnity, international.....	15,000	10,000	10,000
Traveling expenses.....	1,000	1,000	1,000
Traveling expenses, Postal Savings System.....	500	500	500
Total.....	2,992,250	3,098,150	3,098,150

Post Office appropriation bill, 1916—Continued.

	Appropriation for 1915.	Estimates for 1916.	Committee recommends for 1916.
FOURTH ASSISTANT POSTMASTER GENERAL.			
Carriers, rural service.....	\$53,000,000	\$54,700,000	\$54,700,000
Star-route service.....	8,675,000	9,000,000	9,000,000
Experimental village delivery.....	200,000	200,000	200,000
Stationery.....	125,000	135,000	135,000
Official and registry envelopes.....	80,000	85,000	85,000
Blanks, blank books, etc., money order.....	180,000	165,000	165,000
Blanks, books, special character.....	7,500	4,000	4,000
Blanks, etc., Postal Savings System.....	100,000	100,000	100,000
Agency to inspect manufacture of envelopes.....	5,520		
Supplies, City Delivery Service.....	150,000	30,000	50,000
Postmarking, etc., stamps.....	40,000	30,000	30,000
Wrapping paper.....	15,000	15,000	15,000
Twine and tying devices.....	200,000	200,000	200,000
Facing slips, etc.....	75,000	80,000	80,000
Supplies, rural service.....	45,000	25,000	25,000
Shipment of supplies.....	145,000	145,000	145,000
Intaglio seals, etc.....	12,000	12,000	12,000
Post-route maps, etc., Division of Supplies.....	30,000	25,000	25,000
Miscellaneous items, first and second class offices.....	125,000	70,000	70,000
Letter boxes, City Delivery Service.....		100,000	100,000
Letter balances, etc.....	100,000	90,000	90,000
Purchase, exchange, typewriters, etc.....	120,000	120,000	120,000
Letter-box equipment, rural service.....		5,000	5,000
Rental and purchase of canceling machines.....	300,000	300,000	300,000
Equipment, first and second class offices.....		40,000	40,000
Incidental expenses, City Delivery Service.....	100,000	100,000	100,000
Purchase and repair of labor-saving devices.....	50,000	40,000	40,000
Mail bags, etc.....	363,000	450,000	450,000
Mail locks and keys.....	15,000		
Labor, mail-bag repair shop.....	108,300	150,000	150,000
Labor, mail-lock repair shop.....	40,000		
Travel expenses.....	1,000	1,000	1,000
Total.....	64,407,420	66,467,000	66,467,000
Grand total.....	313,364,667	325,129,614	321,700,514

It is not necessary to discuss here the new legislation asked for in the bill, as it will be presented for discussion in the House if a rule making it in order be adopted.

Special reference is made to the report of the Postmaster General in explanation of that portion of the new legislation which this committee has seen proper to adopt and recommend for passage in this bill.

Mr. STEENERSON. Mr. Chairman, I will discuss briefly the questions involved in the bill. First, I want to call the attention of the committee to this statement in the report of the Postmaster General, wherein he says the general policy of the present administration of the Postal Service as defined in the last annual report has been adhered to with good results:

The service has been administered for the convenience of the public, not for profit; to promote efficiency by standardizing and simplifying procedure; to recognize merit and eliminate partisanship; to extend service wherever present or prospective returns justify; to reduce rates in so far as proves consistent with general fiscal necessity; and to provide all communities and all sections of the country as far as practicable with uniform service.

Under the caption of "General policy," last year's report reads:

The dominant policy of the present administration will be to conduct the Postal Service for the convenience of the public and not for profit. Its controlling purpose will be to promote efficiency by the complete standardization of the service, which will be attained by harmonizing equipment, adjusting the personnel, and securing the greatest possible cooperation in every quarter.

The prime consideration in perfecting the personnel of the Postal Service shall be to recognize efficiency and to eliminate partisanship. It is the earnest hope that ultimately all positions will be covered under classified civil service and that merit and faithfulness will be the sole consideration in making appointments as well as promotions.

The above quotation expresses not only what a correct postal policy should be, but also the high aims with which apparently the present administration entered upon its career, from which, however, I am bound to say it has fallen short in practice.

But before I go into that I want to call attention to another matter. Although postal business is so closely related to general business that as a rule it rises and falls with general prosperity, yet of late we have had a phenomenal increase in the volume of postal business in spite of a continued business depression. This, of course, is explained by the addition of savings bank and parcel-post business and the lowering of rates.

The increase in volume of mail has largely increased the bill for railroad transportation, but aside from that the extra outlay on account of the added business has been small. The work of handling the more than 800,000,000 parcels has fallen upon carriers whose pay is substantially the same as before.

At the same time that we have doubled their loads we have also increased the clerical work of the carriers and the duties

and the work of the postmasters and the assistant postmasters and, in fact, all those connected with the handling of the mails. This can not be denied, and yet in the face of this we know also that there is not a business enterprise in the United States that does not claim that it costs more to carry on business than ever before.

Listen to the hearings before the Interstate Commerce Commission on the question of railroad charges. They have filed their proofs there to show that the operation of railroads costs more, that the percentage of operating expenses to receipts is greater now than ever before in the United States, and so every factory and every industrial enterprise shows that it has larger expenses in carrying on its business. And the common people also complain that the cost of living is higher. In the face of these things, is it not strange that the only enterprise doing business in the country to-day which proposes to reduce the wages of its laborers is the Post Office Department? And it proposes to economize by cutting the pay of its humble employees and to increase that of the higher supervisory officials. What justice is there in that? Is it not true that the United States Government, when it engages in a business enterprise, ought to be a model employer and ought to pay a good living wage?

We are in the midst of higher prices. We have loaded the carriers down with more business, but it is proposed to reduce the compensation of these lowly employees of the Government by about one-third so as to cut the expense from \$60,000,000 to \$40,000,000. That was the estimate. That is the estimate which my friend the chairman referred to in his opening remarks. The Government is going to get rich out of the Postal Service by means of putting the rural service on a contract basis. It is a strange thing to me that he did not also propose to put the City Carrier Service on a contract basis also. There would be another saving of ten or twelve million dollars.

A postal official called on me the other day who is employed in the city post office, and one who has to do with carriers. I said to him, "Would it not be a good plan to put the city carriers on a contract basis? Certainly, you could get bids for less than the salary paid by the Government." He said that would never do. He said that "the city carrier is a man of address; he is a man of acquaintance; he is a man of good manners and has to deal with all the people of the city. He calls at their houses and he must be trusted. The children and the young people give him their letters. Perhaps he insures the package that they send or he registers the mail for them, and he knows when they move from one place to another. No; it would not do to have him on the contract basis, because it is a personal service. He should be a Government officer, and the people of the city would not tolerate having that service on a contract basis for one minute." But it struck me that the same reason should apply to the country people.

Mr. MURDOCK. Will the gentleman yield?

Mr. STEENERSON. Certainly.

Mr. MURDOCK. I did not catch the first part of the gentleman's remarks. Did he say who it was that made this proposal to him and who then defended the city carrier?

Mr. STEENERSON. I did not give any name; of course not.

Mr. MURDOCK. I thought you did.

Mr. STEENERSON. I did not give any name. I said an official that was employed in the city post office.

Mr. MURDOCK. Oh, in the city post office. Then he was not a departmental official?

Mr. STEENERSON. No. I merely asked him as a man who knew the service and was familiar with conditions.

Now, here is another thing. The part of the Postmaster General's report that I first read said that it was the policy of the department to extend the service as much as business justified and to treat all States and localities equitably. Very well. That is a good principle. What do we find? Take it, for instance, with regard to the extension of rural service. Now, this may not seem important to some of you, but it is of great significance because of the principle involved. I had a petition for a rural route last summer, and it was inspected. There was the required number of families on it. It was approved by the inspector, and it was all ready for service, provided the Government made the order installing the service. What answer did I get? I got a letter, as follows:

SEPTEMBER 30, 1914.

HON. HALVOR STEENERSON,
House of Representatives.

MY DEAR MR. STEENERSON: Referring to your inquiry of the 28th instant, as to the status of the proposed rural route from Red Lake Falls, Minn., I beg to state that this case has been investigated and is held in the department awaiting the more favorable condition of the national finances.

It is apparently advisable to withhold for a time all applications for additional postal facilities that involve increased expenditures, except in cases of urgent necessity, and I think you will agree with me that much can be accomplished in this line by deferring the establishment of additional routes. The residents of the community to be served by the route in question, having a full understanding of the conditions confronting the Government, will doubtless cooperate with the department in the effort to contribute a share toward meeting the situation now at hand.

Sincerely, yours,

JAMES I. BLAKSLER,
Fourth Assistant Postmaster General.

Mark this: "Withhold additional postal facilities." Not because of postal but of national finances. At the hearing on this bill I asked the Fourth Assistant how this order came to be made. He said it was based upon a memorandum sent by him to the Postmaster General, which reads in part as follows:

AUGUST 17, 1914.

THE POSTMASTER GENERAL:

It would appear from the present crisis that confronts the country, due to foreign war, that the loss of revenue from taxation on imports will have to be recovered through the levy of an emergency tax upon the people. This will undoubtedly be most unpopular and will arouse the people to inquire into the extravagant methods and expenditures that may prevail in any service rendered to them, and at no point will this be more apparent than in the delivery of the mail on rural routes.

I believe that the present Rural Delivery Service could be performed as successfully, and with every precaution for the certainty, security, and celerity of the mail delivery, for a sum at least \$20,000,000 less per annum than at present.

I therefore desire to go on record, before any question of increased taxation upon the people is considered, that in this department, in the bureau over which I have supervision, an economy can be effected of more than one-fifth of the total amount necessary to meet the impending crisis, and that this can and should be accomplished within 90 days from the enactment of the necessary legislation.

JAS. I. BLAKSLER, Fourth Assistant.

This is an abandonment of the rule which they first promulgated, that the Postal Service should be administered so as to treat all localities equitably and fairly; not as a money-making institution for the Government, but a service to the people. Here we find that the department has made a rule that they will withhold rural delivery and other facilities from people entitled to them because of the general conditions of the Treasury, brought about, it is claimed, by the war in Europe. They do not claim that the service is not self-sustaining. Not at all. Last year it showed a surplus of more than \$4,000,000, and the chances are that it will have a surplus during the current year, notwithstanding the fact that the chairman of the Post Office Committee says that the volume of business has decreased.

Now, Mr. Chairman, we have come to this point that the United States Government has determined not to extend postal facilities to the people who are entitled to them because there is a deficit in the Treasury on account of failing customs receipts. According to the speech of the gentleman from Tennessee [Mr. Moon], the chairman of the committee, you will note that he also argues that we must save money on rural carriers, and cut other expenses, because there is a deficit in the general balance.

What does that mean? It can mean only one thing, it seems to me, and that is that the gentleman from Tennessee [Mr. Moon] and the Postmaster General, Mr. Burleson, believe that where, due to Democratic blundering in the fiscal legislation of the country, by reason of reducing the tariff where it ought not to have been reduced, there is a deficit in the Treasury, you must bleed the Postal Service and reduce the salaries of the poor employees therein in order to make it up. [Applause on the Republican side.]

That is what it means. I would like to ask the chairman of the Committee on the Post Office and Post Roads to explain the theory whereby these visionary schemes for saving money by reducing salaries are going to end? He mentions that the saving might be used for roads. That was also mentioned at the hearings. In other words, they propose to let rural deliveries on contract and substitute a spavined mule and a broken-down buggy with any irresponsible tramp for a well-equipped carrier in order to save \$20,000,000 with which to build roads. [Laughter on the Republican side.] Why, such a scheme, if it is not loony, is at least moonery, as it seems to me. [Renewed laughter.]

That scheme was indorsed by the Fourth Assistant Postmaster General at the hearings. He jumped at it like a trout for a fly. "Why," he said, "you can save \$20,000,000 a year, and spend it on some of the dirt roads down here." [Laughter on the Republican side.]

The responsibility of this Government with regard to the conduct of the postal business is a very great one, and if you would read the report of these department officials you will find that they realize their responsibility. They know what they should do, and they say they are doing it, but they are not doing it.

They say that the Postal Service is to be operated and conducted on a nonpartisan basis; that the employees are to be selected without regard to partisanship. What a high-sounding rule. But how is it in practice? Did you ever hear of a Republican being reappointed postmaster? No. The disregard of the civil-service ratings in the selection of fourth-class postmasters is notorious all over the country. A year ago the administration refused to request the Committee on Rules to report out a rule abolishing assistant postmasters, of which there were 2,400 or 2,500 in the United States, because it was a violation of the spirit of the civil-service law and a reversion to the spoils system. You remember the awful row that broke out between the executive branch of the Government and the legislative branch, over on the Democratic side at that time, when the chairman of the Committee on the Post Office and Post Roads rose in his might and denounced the attempt to interfere with a coordinate branch of the Government, when it was said that a subcommittee of the Committee on Rules had visited the Postmaster General and had been instructed by him to refuse a rule to make that legislation in order.

Well, through some fatality the Postmaster General has finally agreed to kill off the assistant postmasters; not directly, by cutting off their heads, but by means of starvation. This bill provides no pay for them. There was an affirmative clause in the first draft of the bill that stated that "all assistant postmasters at all offices are hereby abolished from the 1st of July, 1915," but now they are omitted. New offices are created to take the places of the assistants. This new legislation has been made in order by the rule. So you see that the friendship of the administration for the civil service of a year ago has vanished.

Gentlemen, let us be consoled. I was sorry to hear the gentleman from Tennessee [Mr. Moon] accuse the Democratic Party in this House and in the other branch of Congress of apparently being under the influence of the railroads. A sufficient answer to that is that this House passed the railroad-pay bill unanimously. It was recommended unanimously by the Post Office Committee, and I do not think a single vote was recorded against it in the House. It went over to the Senate. These other administrative features are important, but yet the gentleman from Tennessee and his friend from Georgia on the committee last year, apparently through spite, because they did not get a rule to cover them all, had them go out of the bill on a point of order themselves, so they could not have been very urgent. Now, let me give the gentleman this advice, that instead of being so disconsolate in his defeat, instead of turning around and charging the Democratic Party in this House with being controlled by these terrible bogies he mentioned, he simply go back and call a meeting of the Committee on the Post Office and Post Roads, and he can get reported as a separate bill the very same measures that he now says have been defeated, and the probability is that he can again pass his bill.

The main objection was the provision as to rural carriers and postmasters' salaries. Outside of those propositions, the administrative features that were embodied in this rule would be approved. They have been approved by the committee, and would be approved again, and he can get them as a separate bill. The objection that we made was one which we tried to state in the debate on the rule. It was that it is not good practice to attach such an enormous amount of new, intricate, and important legislation as a rider to an appropriation bill in this the closing session of this Congress, especially in view of the fact that the most important part of the proposition has already been passed through the House and is pending in the Senate, and that, therefore, it would look very much as if the House was threatening, by this means, to withhold supplies for the Postal Service unless it got its measures through, whether they had any merit or not. It was an attempted holdup by means of this rider. It seems to me that common sense dictates that if you attempted to do that you would be courting the very trouble you seek to avoid; and hence, so far as the Republican Members are concerned, I am sure that their one idea was to expedite the passage of the necessary supply bills. We stand ready to aid the gentleman from Tennessee in his wonderful reforms and economies, although I am free to say that it is difficult to believe that the economies he mentions will be very great. We have our doubts, but we will give him the benefit of the doubt, and approve of them at the proper time and in the proper way.

Mr. COOPER. Mr. Chairman, will the gentleman permit an interruption?

Mr. STEENERSON. Yes.

Mr. COOPER. To get this clear in my own mind, is it not a fact that the Republicans on this side of the big aisle, when the bill went through at the last session fixing the rates of rail-

way compensation for carrying the mail, unanimously supported the Democratic proposition?

Mr. STEENERSON. They certainly did, and that bill was unanimously reported by the Post Office Committee, both Republicans and Democrats.

Mr. COOPER. Exactly. So that the criticism of the gentleman from Tennessee on that particular matter is absolutely without any point whatever, so far as any charge of our being under railway influence is concerned, because we supported that proposition. And is not the whole question boiled down to this, that they are trying to put the rural free delivery system under contract, and that they had that embodied in the rule, and that has never been considered at all? That is the whole question here, is it not?

Mr. STEENERSON. That is a part of the question. I would not say that it is the whole question.

Mr. GOULDEN. Mr. Chairman, will the gentleman yield?

Mr. STEENERSON. Certainly.

Mr. GOULDEN. The gentleman went at considerable length into the effort of a year ago to defeat the attempt to take the twenty-four hundred assistant postmasters out of the civil service.

Mr. STEENERSON. Yes.

Mr. GOULDEN. The gentleman does not claim credit for that?

Mr. STEENERSON. No.

Mr. GOULDEN. I voted against it, as did many others on this side of the House.

Mr. STEENERSON. And I give the gentleman much credit, and many others on that side of the House are entitled to credit. I remember particularly the gentleman from Rhode Island, Mr. O'SHAUNESSY, who had been in the Postal Service himself and had risen from the ranks to an important position, and was able by self-education and self-help to become a prominent Member of this House. He was opposed to the idea of removing the assistant postmasters from the civil service, and I regarded his opinion as being worth a good deal, because he was a man who had sprung from the ranks. The President then opposed the abolishing of assistant postmasters, and I honored him for it.

Mr. GOULDEN. It is not a partisan matter by any means, and no credit can be claimed for either one of the political parties, and I am proud of the position I then took.

Mr. STEENERSON. Of course, the opposition is entitled to credit for everything it can defeat, and the majority is entitled to credit for what it can accomplish, so that there is a difference. If you attempt to do wrong and we defeat that attempt, it seems to me that we ought to be entitled to more credit than you.

Mr. GOULDEN. I do not think so, because we were opposing the report of the committee itself and the majority side of the House to which we belong.

Mr. STEENERSON. I printed my speech on the Post Office bill a year ago in pamphlet form and sent the gentleman a copy of it, and that was the last thing I said, that the Democrats who supported Mr. Wilson in this case were entitled to a great deal of credit.

Mr. GOULDEN. That is right, and that is what we were doing.

Mr. STEENERSON. And I am now performing the same service for this administration that I tried to perform a year ago. I am trying to hold them down to the policy of civil service as much as I can. By changing this system of rural carriers 44,000 rural carriers will be placed under contract, and what does that mean? Their bids will be passed upon, in the first instance, by the local postmaster, and they think now that most of them are Democrats and that these local postmasters passing on the bids of those intending to carry on the rural-route service there will be no trouble at all, and if Postmaster General Burleson's proposition should become a law, then the most ardent enemy of the civil-service law would be satisfied in the near future. I think even the most ardent spoilsman on the Democratic side would be satisfied. With the contract system there could be no Republican rural carriers under a Democratic administration. That was too big a temptation for the Postmaster General. Forty-four thousand employees by one stroke to be transferred from the civil service where they now are to the spoils system. There is the true reason and the true motive for that proposition, and I give due credit to the Democracy in this House for defeating it [applause], because it shows that whereas last year, through the inspiration of newly found positions and responsibilities and association with the President, the Postmaster General was anxious to carry out the civil service and defeat the rule asked for to decapitate the assistant postmasters, now, after he has

been in office for nearly two years and has found how sweet these small morsels of spoils taste, he has abandoned entirely the doctrine of civil service and has espoused the cause of the spoilsman. In my estimation that is the true reason, and not economy, for the proposition.

Mr. Chairman, this is all wrong. The Postal Service should be conducted as much as possible free from partisan bias, and merit should be rewarded wherever it is found. There are many in this House and elsewhere who believe that the functions of the Government should be extended. Indeed, it is recommended in this report that we should take over the telegraphs and the telephones of the country, and even, say, the railroads.

Those who have their doubts upon that grave question, or those who favor such an extension, might well hesitate until the doctrines of the civil service and the merit system are well established in the laws and procedure and administration of the country. Whenever the time comes that you can increase by five or six million the employees of the Government, put them under the spoils system, you have given the power and control of this country over to the officeholders. Free government would probably be at an end in this country if it should happen. We are not prepared for it.

Therefore it behooves us to proceed carefully, cautiously, and slowly, and the place at which to begin is with that branch of the Government which does business with every man, woman, and child in it. The place above all others where we should observe the merit system and impartial service is in the Postal Department.

Mr. Chairman, I have already pointed out that the war in Europe has been put forth by the present administration as the justification for the withholding of needed mail facilities in rural districts, and for the proposal to reduce expenses by substituting a contract service for the present Rural Delivery Service, and also for the advancement of the new policy of making the Postal Service contribute to the general support of the Government. The claim is that the war has shut off imports and thereby reduced customs revenues. President Wilson, in his address to Congress on September 4 asking for the war-revenue law, used this language:

During the month of August there was, as compared with the corresponding month of last year, a falling off of \$10,629,538 in the revenues collected from customs. A continuation of this decrease in the same proportion throughout the current fiscal year would probably mean a loss of customs revenues of from sixty to one hundred millions. I need not tell you to what this falling off is due. It is due, in chief part, not to the reductions recently made in the customs duties, but to the great decrease in importations; and that is due to the extraordinary extent of the industrial area affected by the present war in Europe.

This statement, that there is a decrease in importations, has been repeated during the debate on this bill on this floor, and is found in the official communications of the Post Office Department to Congress.

I want to call attention to the fact that the President compares the falling off in revenue under the Underwood law with the receipts under the Payne law. Of course he overlooks the slight difference in the rates of duty. He should have remembered that his party, and especially he as the candidate, promised the people a downward revision, and that they gave us a downward revision, and that therefore, unless the importations were very largely increased, necessarily the receipts from customs would be diminished. In his campaign letter to Mr. Underwood a month later he went still further, and said that it was the war, and nothing but war, that caused the falling off in revenues from customs receipts. Now, what are the facts? The official figures are now before us. They were not fully before us at the time of the discussion of the war-revenue bill.

I hold in my hand a document issued by the Department of Commerce, the Monthly Summary of Commerce and Finance of the United States.

The October number has recently been issued; we have not yet got the November or the December number. On the first page containing the tables we find the total imports of merchandise for October, 1913, \$132,149,302; for October, 1912, \$138,880,850, an increase for one month of about \$6,000,000. I find in the column "10 months ending October, 1914," the total imports of merchandise were \$1,548,531,394; for the same 10 months of 1913, \$1,460,364,000, or \$88,196,921 more during the first 10 months of the calendar year 1914 than for the corresponding period the year before.

These 10 months, I call to your attention, were the first 10 months that the Underwood law was in effect. It was not in full effect until the 1st of March. It took effect as to wool in January. So you see that instead of there being a falling off in imports there has been an increase in imports of over eighty millions in 10 months. I have the figures, which I got by telephone from the Department of Commerce, as to the receipts and imports for November, the month just past. I find that the

total imports of merchandise for the last month—November, 1914—were \$126,467,907 and the duties from customs \$16,924,408.

Now, if we had a similar amount of importations for December—and they will be much larger, from the preliminary figures I have received—there will be \$252,935,814, or in round numbers \$253,000,000, for the two months completing the calendar year of 1914, and will make the total imports of merchandise for the 12 months \$1,801,531,394 as against \$1,793,138,480 for the calendar year 1913, or \$8,392,914 more for 1914 than 1913.

Where, then, is the contention that the war in Europe has diminished the imports? The contention is simply a fallacy and not true. You may excuse a man in the excitement of a campaign for exaggeration; you can excuse a candidate for telling a whopper just before election; but now that the campaign is over and the official records are available, it seems to me that you ought to cease repeating the statement and come back to facts.

Now, as a ground for explaining the embarrassed condition of the Treasury and the deficit, the conclusion has been drawn that the revenues from customs were disappointing to the Democrats. There never was a greater fallacy. How much revenue did you expect from the Underwood law? You have got within a small fraction of what was predicted for it. I read from the CONGRESSIONAL RECORD of September 30, 1913, page 5233, from Mr. UNDERWOOD's final speech on the conference report. He said:

The income tax, leaving out those features that relate to the tax on corporations, will produce above \$83,000,000. The corporation part of the income tax included in the bill, it is estimated, will produce \$39,000,000. The custom taxes for the year 1915 are estimated to produce \$249,000,000.

Taking the other sources of revenue that the Government now has and adding to them the income tax and the customs laws that are affected by this bill, it will produce for the fiscal year 1915, according to our estimates, \$1,026,000,000, and if the expenditures of the Government do not exceed \$1,008,000,000, which is the estimate that will cover the expenditures of the Government for that year, the bill will produce a surplus revenue of \$18,000,000, which the committee considers as a safe balance on the right side of the ledger.

Mr. UNDERWOOD says that in the fiscal year it will produce \$249,000,000. Well, the Payne bill produced \$318,000,000, so there was expected to be a decline. When you passed the Underwood law you expected there would be \$249,000,000 revenue instead of \$311,257,348, which was the amount collected in fiscal year ending June 30, 1912, so that you can not lay that to the war. You are not disappointed as to the income produced by the Underwood law because you expected it. [Applause on the Republican side.]

So, putting the total customs duties collected for the first 10 months of 1914 as given in October summary of \$209,000,000, and adding \$16,924,408 customs receipts for last month and a similar amount for this month, you will have \$243,418,045, only five and a half million (\$5,581,955) less than Mr. UNDERWOOD estimated, or practically the same as his estimate.

If you calculate that December will produce only as much as November, then the difference would certainly not be in excess of \$6,000,000 less than the estimate of Mr. UNDERWOOD at the time he spoke on the conference report.

Now, then, what justification have you, what justification did the President have for blaming the war in Europe for the lower customs revenue when you are getting the revenue that you expected? [Applause on the Republican side.]

Where is the Democratic blunder that has brought embarrassment upon us which necessitates the recommendation of destroying the rural service and bleeding the Postal Service to support the Government? The blunder consisted, not in misfiguring the income from tariff but from other sources. These are official figures, and you can find them all in Monthly Summary for the months referred to. I will insert the page from the October, 1914, summary where it gives the imports for the first 10 months of calendar year 1914, and also the ad valorem rate on dutiable and on all imports for the respective periods. The rate for 1912, under Payne law, was 39.54 per cent on dutiable and 18.30 per cent on total imports, and about the same for 1913, while in the 10 months of 1914 the rate under the new law was only 35.02 per cent on dutiable and 13.53 per cent on total imports. For October, 1914, the rate on total imports was only 11.78 per cent. The blunder was in the income tax. You fell short \$51,000,000, the difference between \$122,000,000, which you estimated you would get from the corporations and income tax, and the \$71,386,156, which you actually got from that source. You fell short more than \$51,000,000, and that is the chief element which causes the embarrassment in the Treasury. The chairman of the Committee on Ways and Means estimated that your appropriations would be \$1,008,000,000. That was for fiscal year 1915; the current year.

What were they? I have the Book of Estimates, issued by the Treasury Department, and there is no guesswork about this. The total appropriations for the fiscal year 1915 were \$1,094,168,102.33. He estimated that you were going to appropriate \$1,008,000,000, and you appropriated \$86,000,000 more than you said you would. There was another blunder. The appropriation of \$1,094,168,102.33 for the fiscal year 1915, instead of \$1,008,000,000, as you said you proposed to appropriate, and the falling short of the income tax and the corporation tax in the sum of \$51,000,000 is the cause of your trouble. What would have been the result if you had had the Payne rates? It has been demonstrated to a mathematical certainty. The rate under the Underwood law, applied to the free and dutiable goods together, was 13.53 per cent, a little over 13½ per cent for the first 10 months of the calendar year 1914, but only 11.78 per cent for October. This is also given in this same publication issued by the Department of Commerce for the very period in question. Under the Payne law the rate was 18.34 per cent for 1913. How could you expect to get as much money when you collected only 13½ per cent ad valorem on the total amount of importations instead of 18½ per cent? It seems to me it is entirely unjustifiable to expect anything of that kind. If you apply—and this is relevant because of the address of the President on September 4—the Payne duties, you would have had, according to my calculation, and you can calculate it yourself, about eighty-six or eighty-seven million dollars more of customs revenues on the same importations that actually came in than you obtained. It could not be a surprise to a sane man that you got less on substantially the same amount of imports under a lower than a higher rate. The gentleman from Alabama [Mr. UNDERWOOD] estimated the falling off of revenue very closely. He can not be surprised or disappointed, for he predicted the result very closely.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. STEENERSON. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STEENERSON. So that the cause of all of this trouble in the Treasury, this falling off of the available balance from \$144,000,000 to a little over \$66,000,000, as it is to-day—the excess of expenditures over receipts which we are now experiencing is directly due to the decrease of customs receipts under Democratic tariff legislation and not to accident, not to war. It is due to miscalculation as to the amount of income to be derived from the income and the corporation tax, and to the large—I will not say extravagant—appropriations, \$86,000,000 more than you officially estimated you would appropriate. Therefore, it seems to me, it is about time that the leaders of the Democratic Party should acknowledge the truth. You may as well do it now as later, because sooner or later you will have to acknowledge that these are the facts; that these are the causes for the falling off of income—miscalculation, blunder; not any misfortune because of the war. [Applause on the Republican side.] It is important for the people to know, because the war came along, and we can not end it. If our difficulties in the Treasury were due to the war, we would have to submit, and, perhaps, it would be justifiable to resort to bleeding the postal receipts to support the Government, but seeing that the cause is not the war in Europe but is Democratic blundering in legislation, then that is a cause that can be removed. [Applause on Republican side.] And, gentlemen, it will be removed by the people, and you may as well acknowledge that you were mistaken, and be honest and candid and fair on this proposition. [Applause on the Republican side.]

Monthly summary of foreign commerce of the United States, October, 1914.

FOREIGN COMMERCE OF THE UNITED STATES—SUMMARY OF IMPORTS AND EXPORTS.

[Figures in all statements for October, 1914, and for 10 months ending October, 1914, subject to revision. Figures of imports for October, 1913, include only entries under the tariff law of 1913, beginning with the fourth day of the month. The entries of the first three days of the month under the law of 1909, amounting to, approximately, \$13,665,000, are included with September totals.]

Groups.	October—				Ten months ending October—							
	1913		1914		1912		1913		1914			
	Dollars.	Per ct.	Dollars.	Per ct.	Dollars.	Per ct.	Dollars.	Per ct.	Dollars.	Per ct.	Dollars.	Per ct.
IMPORTS.												
Free of duty:												
Crude materials for use in manufacturing.....	34,125,086	41.84	38,012,461	43.72	412,197,299	50.73	404,684,750	51.69	462,785,296	48.71		
Foodstuffs in crude condition, and food animals.....	18,547,338	22.75	18,700,188	21.51	157,946,743	19.44	136,919,651	17.49	167,181,245	17.59		
Foodstuffs partly or wholly manufactured.....	2,871,232	3.52	5,399,883	6.21	10,432,004	1.28	9,515,804	1.22	49,918,371	5.25		
Manufactures for further use in manufacturing.....	15,320,770	18.79	13,803,207	15.88	137,821,073	16.96	152,594,341	19.62	159,801,979	16.82		
Manufactures ready for consumption.....	10,037,469	12.30	10,580,865	12.17	84,029,120	10.34	70,821,349	9.05	101,439,869	10.68		
Miscellaneous.....	651,994	.80	447,916	.51	10,178,291	1.25	7,269,497	.93	8,904,580	.95		
Total free of duty.....	81,553,889	100.00	86,944,520	100.00	812,604,530	100.00	782,805,392	100.00	950,121,340	100.00		
Dutiable:												
Crude materials for use in manufacturing.....	5,687,772	11.07	5,943,783	11.63	111,560,797	15.98	91,028,299	13.44	62,914,297	10.51		
Foodstuffs in crude condition, and food animals.....	4,328,202	8.42	2,725,847	5.33	37,639,959	5.39	28,576,809	4.22	29,753,359	4.97		
Foodstuffs partly or wholly manufactured.....	10,124,960	19.70	12,875,065	25.17	171,973,679	24.63	156,491,769	23.10	176,720,569	29.53		
Manufactures for further use in manufacturing.....	7,074,654	13.76	7,146,388	13.98	124,638,840	17.85	134,003,391	19.86	78,753,213	13.16		
Manufactures ready for consumption.....	23,640,395	46.00	21,673,417	42.38	249,040,959	35.66	262,849,172	38.79	245,432,461	41.02		
Miscellaneous.....	539,430	1.05	771,500	1.51	3,423,949	.49	3,979,541	.59	4,836,155	.81		
Total dutiable.....	51,395,412	100.00	51,136,000	100.00	698,278,183	100.00	677,528,981	100.00	598,410,054	100.00		
Free and dutiable:												
Crude materials for use in manufacturing.....	39,812,858	29.94	43,956,244	31.84	523,758,096	34.66	495,713,049	33.95	525,699,593	33.95		
Foodstuffs in crude condition, and food animals.....	22,875,540	17.21	21,426,035	15.52	195,586,702	12.94	165,496,460	11.33	196,934,604	12.72		
Foodstuffs partly or wholly manufactured.....	12,996,192	9.78	18,274,948	13.23	182,405,683	12.08	166,007,573	11.37	226,638,940	14.63		
Manufactures for further use in manufacturing.....	22,395,424	16.85	20,949,595	15.17	262,459,913	17.37	288,197,732	19.73	238,555,192	15.41		
Manufactures ready for consumption.....	33,677,864	25.32	32,254,282	23.36	333,070,079	22.05	333,670,521	22.85	346,872,330	22.40		
Miscellaneous.....	1,191,424	.90	1,219,416	.88	13,602,240	.90	11,249,038	.77	13,830,735	.89		
Total imports of merchandise.....	132,949,302	100.00	138,080,520	100.00	1,510,882,713	100.00	1,460,334,373	100.00	1,548,531,394	100.00		
Per cent of free.....		61.34		62.97		53.78		53.60		61.36		
Duties collected from customs.....	30,138,049		16,271,829		276,425,106		267,868,193		203,569,229			
Average ad valorem rate..... (on dutiable.....)	58.64		31.82		39.59		39.54		35.02			
..... (on total imports.....)	22.67		11.78		18.30		18.34		13.53			
Remaining in warehouse at the end of the month.....	85,843,119		84,289,172									
EXPORTS.												
Domestic:												
Crude materials for use in manufacturing.....	125,239,556	46.56	32,989,050	17.27	561,163,229	30.49	552,654,073	27.99	230,411,330	14.13		
Foodstuffs in crude condition, and food animals.....	11,764,519	4.37	36,224,327	18.91	98,548,106	5.35	150,590,870	7.62	395,003,669	24.21		
Foodstuffs partly or wholly manufactured.....	29,775,473	11.07	37,411,532	19.58	246,704,031	13.41	266,569,703	13.50	187,677,403	11.51		
Manufactures for further use in manufacturing.....	32,678,284	12.15	28,571,130	14.95	320,715,546	17.43	338,975,547	17.17	290,860,629	17.83		
Manufactures ready for consumption.....	68,824,465	25.58	53,589,172	28.05	607,023,512	32.98	658,791,771	33.37	519,544,574	31.85		
Miscellaneous.....	721,137	.27	2,214,165	1.24	6,119,548	.34	6,844,101	.35	7,607,710	.47		
Total domestic.....	269,003,434	100.00	191,029,376	100.00	1,840,273,972	100.00	1,974,426,065	100.00	1,631,105,315	100.00		

Monthly summary of foreign commerce of the United States, October, 1914.—Continued.
 FOREIGN COMMERCE OF THE UNITED STATES—SUMMARY OF IMPORTS AND EXPORTS—continued.

Groups.	October—				Ten months ending October—					
	1913		1914		1912		1913		1914	
EXPORTS—continued.	Dollars.	Per ct.	Dollars.	Per ct.	Dollars.	Per ct.	Dollars.	Per ct.	Dollars.	Per ct.
Foreign:										
Free of duty.....	1,633,613	57.15	3,208,406	73.33	18,582,270	61.16	18,921,617	61.31	19,817,547	62.55
Dutiable.....	1,224,417	42.85	1,166,848	26.67	11,801,753	38.84	11,935,940	38.69	11,883,757	37.45
Total foreign.....	2,858,030	100.00	4,375,254	100.00	30,384,023	100.00	30,857,557	100.00	31,701,304	100.00
Total exports.....	271,861,464		195,404,630		1,870,657,995		2,005,283,622		1,662,806,619	
Excess of exports.....	138,912,162		57,324,110		359,775,282		544,949,249		114,275,225	
Total imports and exports.....	404,810,766		333,485,150		3,381,540,708		3,465,617,995		3,211,338,013	

Mr. MOON. Mr. Chairman, I yield to the gentleman from South Carolina [Mr. JOHNSON].

Mr. JOHNSON of South Carolina. Mr. Chairman, when the legislative bill was under consideration yesterday the gentleman from Washington [Mr. JOHNSON] complained about the long delay in paying some of the star-route contractors, and he named one instance. It had nothing to do with the bill then under consideration, and I had no information that would enable me to give to the committee any facts about it. To-day I received a letter from the Fourth Assistant Postmaster General which thoroughly explains the case. It seems that the contractor was given the contract in May, and a contract was sent to him at that time, but he never returned it properly executed to the department until the 14th of November. The delay was due to his own negligence in sending back the contract. I ask to extend my remarks by publishing the letter.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to print the letter referred to. Is there objection?

There was no objection.

The following is the letter:

POST OFFICE DEPARTMENT,
 FOURTH ASSISTANT POSTMASTER GENERAL,
 Washington, December 18, 1914.

Hon. JOSEPH T. JOHNSON,
 House of Representatives.

MY DEAR MR. JOHNSON: With reference to the comments that appear in the CONGRESSIONAL RECORD of the 17th instant, pages 330, 338, and 339, relative to the pay of star-route contractors, it may safely be stated that delays occur occasionally, as in the case of Calvin Perry, contractor for service on star route No. 71210, Pacific Beach to Lone Tree, Wash., who was employed from July 1, 1914, under the instructions mailed him May 1, 1914, accepting his proposal for service on this route.

Under the law a properly executed contract must be filed in this office by the successful bidder, and accepted on behalf of the Postmaster General, before any payment can be made for service performed. In this case Mr. Perry delayed the filing of his contract, the same not being returned to the department until November 14, 1914, although it was sent to him for execution May 10, 1914.

Further delay in payment occurred through a clerical error in making certificate to the Auditor for the Post Office Department for four months' payment, when, under the rules of the Treasury Department, the auditor is not allowed to pass a joint account for more than one quarter, or three months.

Representative JOHNSON of Washington made inquiry after the first certification, and was informed that payment had been authorized; this prior to the rejection by the auditor of the original certificate and the recertification of the account.

However, the failure of the accepted bidder to return his properly executed contract before November 14, 1914, a period of six months, was the primary and principal cause for delay of four months in paying him.

Sincerely, yours,

JAS. I. BLAKESLEE,
 Fourth Assistant Postmaster General.

Mr. STEENERSON. Mr. Chairman, I ask leave to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Minnesota asks leave to extend his remarks. Is there objection?

There was no objection.

Mr. MOON. Mr. Chairman, I yield to the gentleman from Georgia [Mr. ADAMSON].

Mr. ADAMSON. Mr. Chairman, I ask the indulgence of the House at this time to submit a few remarks on the proposition for a constitutional amendment providing for Federal prohibition.

The unusual situation is presented of the fighting being forced by the opponents of the proposition. Those who are supposed to be the defendants at the bar have become the aggressors, and are moving to force the issue. For six months it has been known that the opponents of prohibition, having counted noses, have learned that the resolution could be defeated, and have

since insistently and earnestly urged consideration of the resolution and a rule to compel its consideration. It is to be regretted that the friends of prohibition, the real enemies of the bar-room, have fallen victim to the wiles of politicians and under unwise, radical, and reckless leadership have allowed an untenable battle ground to be selected, whereon their hosts may be slaughtered by defeat in a righteous cause, when the battle could have been won if more wisdom had directed the zeal and piety of the really honest, sober, and meritorious contestants.

Of a piece with this folly is the zeal which seeks to force upon the question of lady suffrage the centralized jurisdiction of the Federal Government. The leaders in these two causes either do not understand or do not regard the basic principles of this Government, on which, more than anything else under the sun, depend the cause of civilization, the preservation of liberty, and the security of morals, temperance, manhood, and virtue. The Federal Government was never designed as a moral agency, nor was it ever intended to exercise the local police functions nor interfere with the question of suffrage. The genius of our Government excels all others on earth, present or past, because we wisely instituted for efficiency local control of morals, the franchise, labor, education, and all questions on which depend human prosperity, good order, and happiness. That system was not designed out of any spirit of red-handed rebellion against Federal Government. The Federal Government was made by the States after they were in full-fledged existence and created by them for certain general purposes, all other powers being reserved to the States. That policy is wisest and best, because the Government, being local, is closest to the people who understand the subject and maintain the Government itself. A team can pull more with short traces, placing the team nearer to the load; a marksman or sportsman can shoot more accurately at short range. The people interested in both the subject to be regulated and the Government regulating it can secure better results with less friction and more satisfaction.

If the ladies are ever to descend from their high estate of supremacy as lovely charmers and ministering angels of mankind down to the common level of mere men as politicians, it should be done by the action of their respective States, and when it is done it should not be done by clamor and parade and in unlady-like demonstrations and exhibitions. All the blessed creatures need do is to intimate, in a gentle way, in their charming tones and pleasing manner, to the "lords of creation," that they wish to have the privilege of voting, whether they take the trouble to do so or not, and clearly intimate to the aforesaid "lords of creation" that there will be no further happiness at home until their wishes are given effect. The effect would be instantaneous. Not many suns would set and rise until the fair creatures had been clothed with all the rights of political degradation, with the same option that men now have—to claim the privilege but shirk the duty.

I am a genuine prohibitionist.

I have long realized what the business sense of the country is rapidly coming to recognize, that a sober man is more valuable in business than a drunken one; and what most people are coming to realize, that a sober man can have more fun than a drunken man. Business enterprise and intelligence have been instruments in the hands of Providence to work the great reformation in the last 50 years, which has advanced sobriety and promoted intelligence and prosperity in so many States of our Union. I have probably voted against barrooms oftener than any preacher in the land or any other man, perhaps a score of times, and I expect to keep it up until I die, for I honestly

believe that every man needs to exercise all the brains God has given him, and that it is a crime against himself and society to stupefy and becloud his intellect with liquor as a beverage.

The common sense of mankind educated by experience and observation has produced a new proverb or beatitude, "Blessed is the man who keeps liquors out of his stomach, for the days of that man shall be longer on the earth; and verily his wife and children shall wear better shoes and clothes and have more to eat."

Of course the true temperance theory is that the doctors can be trusted to manage liquors for medical purposes, and if they can be trusted with issues of life and death in cases of desperate malady, society can certainly trust them to manage the liquor traffic. The doctors are more jealous of their profession than most any other class, and will blacklist a black sheep quicker than any other profession. If one of them should be unfaithful and try to run a blind tiger it would be easier to catch him and punish him than the ordinary negro or sorry white man. The value of liquor for medical purposes is limited and problematical; it often relieves lassitude after fever, and sometimes alleviates pain and suffering, but is liable to produce others just as bad. The remedy is often worse than the disease. Furthermore, the liability to take an overdose is greater than in case of any other nostrum. It is generally recognized that social drinking is what makes drunkards and produces the consequent crime, poverty, and misery, the crime produced by drunkenness being estimated at about 90 per cent of all the crimes committed in the world. No man's personal habits nor private notions should, however, be permitted to confuse his mind nor divert him from insisting on rational methods and correct principles. The way to accomplish and maintain prohibition is for the people of each State to do their duty. Federal action can only be preferable to State action if the aggregate of State excellence, represented by the General Government, is superior to the best action of any particular State. It must be the average of the excellence of all the States. If it is superior to some, it must be inferior to others. I deny that the moral excellence of the Federal Government is superior to that of my State. The Federal Government has done things that my State would not do. It would be ashamed to do some of the things the Federal Government has done. Its noble men and lovely women would blush if it should so do. I do not deny what other Members admit of the inferiority of their States, for they come to the Federal Government for all things, admitting that their States are incompetent. I am ashamed of such States, and would not live in one of them.

The good, old doctrine of prohibiting intoxicating and malt liquors as a beverage but treating them like arsenic and strychnine and other dangerous drugs as articles to be controlled entirely by the doctors in the interest of health, temperance, and prohibition has taken hold of a number of States. It is true that some of the enemies of prohibition contend that prohibition does not prohibit, but the truth is in every State where it has been tried it was enforced as well as the laws against murder, arson, larceny, adultery, fornication, and many other prevalent crimes. The agitation in Congress originated in the claim that the Federal Government was aiding the liquor trade and defeating local efforts at prohibition, and that was never the truth nor was there ever any foundation for the assertion. This has been declared thousands of times without malice or knowledge by the friends of prohibition. The truth is, the Federal Government never licensed a bar in any State nor the manufacture of liquor nor the sale in any form. The Federal Government receives an excise tax from the manufacture and sale of liquor, just as in some other lines of business. It has no jurisdiction to pass upon the local legality of the business. It found a man transacting the business by the permission of the State, either active or passive, and it made demand for the payment of the Federal taxes. When complaint was made, answer was made that that helps enforce local law. It finds the men who are violators of law, and it collects a tax out of them. If local officers were vigilant they could find them as well as the Federal officers, but Congress went further and provided, in the Humphrey amendment, that the Federal officers should keep posted a list of all persons from whom taxes were collected, and that on demand of the local authorities a certified copy of the tax receipt should be furnished. All that would remain necessary for any prohibition State to do was to provide in their law of evidence to permit the admission of that certified copy of the tax receipt, and they could convict every blind tiger, and so the State laws have not been defeated by the Federal Government but have absolutely been aided by its efforts. Congress went still further in the Brantley amendment and

prohibited the C. O. D. practice by the express companies which, it was claimed, helped to violate the prohibition laws, and further provided that it should be unlawful for any person to order or receive any quantity of liquor by express unless full publicity were made by indicating on the outside of the package fully what the package contained—how much, the name of the vendor, and the name of the consignee. Early in State efforts at prohibition it was complained that the exemption of original packages permitted liquor to be shipped into prohibition States and delivered to the blind-tiger dealer before the jurisdiction of the State could attach. Congress passed the Wilson law in 1890 subjecting it to the laws of the State on arrival in the State.

The Supreme Court held that "arrival" meant delivery to the consignee. We made repeated efforts to correct that defect by inserting the words "either before or after" to define delivery. Finally we succeeded in passing the Webb bill, which vacated and set aside the exemption of original packages, so that the State authority, if properly exercised, may seize any package of whisky the moment it crosses the border of a State, and under the police powers reserved to a State may do anything the State pleases to do with it. It may prohibit its sale. It may destroy the liquor. It may prohibit its use in certain quantities. It may make any regulation its wisdom sees proper. With the present state of Federal law on the subject, there is absolutely no reason for any State which so desires not to prevent the sale or manufacture of liquor. In those States which have adopted prohibition it is not any longer a question of prohibition, but it is a question of the enforcement of law. If in those States the prohibitionists want prohibition, the only thing they have to do is to do less agitating for prohibition and lend more assistance to the courts and grand juries in detecting and convicting the violators of the law and bringing them to justice.

But some of them say, "We are not satisfied with prohibition in our own State. We want to compel other States to practice prohibition." That is a false idea and a vain and futile effort. There are States in this Union which will not adopt prohibition. Their population and conditions are such that the Federal Government could not adopt a law that would enforce prohibition in those States, because every law must be enforced by the people and juries where the violations occur. Furthermore, the danger in the idea of going to Congress for the Federal Government to pass on these moral questions is that the large States which do not agree with us on prohibition might defeat us and deprive us of the benefits which we have secured through local self-government.

The second section of the Hobson resolution fails to meet our objection. It is a conscience-stricken concession to the justice of our position and a belated enforced admission that prohibition can not be enforced except by local self-government, but it so confuses two jurisdictions that neither would be fully asserted and neither would be effective. Evidently it was not drawn by a capable lawyer. All the temperance people heretofore have ever asked was that Federal law be withdrawn from the States so far as traffic in liquor is concerned and the States be left exempt from Federal authority to adopt and enforce prohibition. If the Federal Government once asserts its authority and pretends to control the question, everybody knows that State authorities will go out of the business. The only safety for morals and good order rests in home government.

Personally I am averse to voting for the rule in either case. I consider it poor tactics to insist on considering a proposition which I oppose. Consideration is a step toward victory, usually sought by the friends of a measure. The enemies of prohibition, not its friends, have urged this rule upon the committee. It is true that many real friends of prohibition before discovering their inability to adopt the amendment urged us to vote for the rule, and I promised them to do so if the rule was ever reported by the committee. Furthermore, the report of a committee of this House is law to me. I believe in party discipline. The integrity of the Democratic Party is the chief anchor of our political salvation and the only sure preservation of our liberty and morals. Democratic principles can not be preserved without compact and faithful organization. The great Committee on Rules reported this rule, and I shall stand by the committee for its adoption. The great Committee on the Judiciary was unable to form an opinion on the proposed amendments, but reported them without a recommendation. For one I do not need their recommendation. Correct principles deny to the Federal Government jurisdiction over the subject. One of the smartest women and one of the purest and best prohibitionists in this country wired the Georgia delegation to stand by State control on the question of lady suffrage. We wired our concurrence and asked if she applied the same views to the pro-

hibition amendment. She promptly and unequivocally replied that while an ardent prohibitionist, her attitude was the same on both propositions. She could not surrender local self-government and rely on Federal control. Her address is Miss Millie Rutherford, Athens, Ga., but she lives in the hearts of all the people of Georgia.

Mr. MOON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SAUNDERS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill H. R. 19906, had come to no resolution thereon.

INDIAN APPROPRIATION BILL.

Mr. STEPHENS of Texas, by direction of the Committee on Indian Affairs, reported the bill (H. R. 20150) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1916, which was read the first and second times, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report (No. 1228), ordered to be printed.

Mr. MANN. Mr. Speaker, I reserve all points of order on the bill.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 94. An act to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

DEMOCRATIC CAUCUS.

Mr. UNDERWOOD. Mr. Speaker, I merely want to remind the Democratic Members of the House that there will be a caucus immediately after the adjournment of the House to fill some vacancies on the committee, and I ask that they stay here for a few minutes. It will not take 10 minutes.

ADJOURNMENT.

Mr. MOON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 24 minutes p. m.) the House adjourned to meet to-morrow, Saturday, December 19, 1914, at 12 o'clock noon.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting copy of a communication of the acting president of the Board of Commissioners of the District of Columbia submitting an urgent estimate of deficiency in the appropriation for sewage-disposal system, District of Columbia, 1915 (H. Doc. No. 1421), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. SLAYDEN, from the Committee on the Library, to which was referred the bill (H. R. 20095) to establish the legislative reference division of the Library of Congress, reported the same without amendment, accompanied by a report (No. 1227), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 17571) granting an increase of pension to Peter P. Swensen, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 20107) to amend sections 4421, 4422, 4423, 4424, and 4498 of the Revised Statutes of the United States, and section 12 of the act of May 28, 1908, relating to certificates of inspection of steam vessels; to the Committee on the Merchant Marine and Fisheries.

By Mr. CROSSER: A bill (H. R. 20147) to eliminate private interest in war and preparation for war by providing Govern-

ment facilities for producing and manufacturing military and naval equipment, by prohibiting the export of privately made munitions of war, and by reservation to the Government of coal and fuel oils in the public lands; to the Committee on Military Affairs.

By Mr. GALLIVAN: A bill (H. R. 20148) to amend the navigation laws of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. DANFORTH: A bill (H. R. 20149) to provide for the purchase of a site for and the erection of a public building at Albion, N. Y.; to the Committee on Public Buildings and Grounds.

By Mr. STEPHENS of Texas: A bill (H. R. 20150) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1916; to the Committee of the Whole House on the state of the Union.

By Mr. ALEXANDER: Joint resolution (H. J. Res. 391) authorizing the Secretary of Commerce to postpone the sale of fur-seal skins now in the possession of the Government until such time as in his discretion he may deem such sale advisable; to the Committee on the Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 20151) granting an increase of pension to Jasper N. Cooper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20152) granting an increase of pension to George F. Ethell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20153) granting an increase of pension to Abraham Thatcher; to the Committee on Pensions.

By Mr. BOOHER: A bill (H. R. 20154) granting an increase of pension to Minerva Hickok; to the Committee on Invalid Pensions.

By Mr. CARR: A bill (H. R. 20155) granting an increase of pension to John T. Plummer; to the Committee on Invalid Pensions.

By Mr. CARY: A bill (H. R. 20156) granting an increase of pension to Richard Burns; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20157) granting an increase of pension to Joseph Gunne; to the Committee on Invalid Pensions.

By Mr. DRISCOLL: A bill (H. R. 20158) granting an increase of pension to Alice Stebbins; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 20159) granting an increase of pension to William H. Williams; to the Committee on Invalid Pensions.

By Mr. EAGAN: A bill (H. R. 20160) granting an increase of pension to Thomas J. Dobbs; to the Committee on Invalid Pensions.

By Mr. FOSTER: A bill (H. R. 20161) to remove the charge of desertion from the record of Jubal Grant and to grant him an honorable discharge; to the Committee on Military Affairs.

By Mr. GARDNER: A bill (H. R. 20162) granting a pension to Elizabeth M. Cooper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20163) granting an increase of pension to Vanzandt E. Smith; to the Committee on Invalid Pensions.

By Mr. GOULDEN: A bill (H. R. 20164) granting an increase of pension to Hugh Mahon; to the Committee on Invalid Pensions.

By Mr. HAMILTON of New York: A bill (H. R. 20165) granting a pension to Louise (Jones) Nesmith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20166) granting an increase of pension to Charles O. Manley; to the Committee on Invalid Pensions.

By Mr. HENSLEY: A bill (H. R. 20167) granting an increase of pension to Austin Williams; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 20168) granting an increase of pension to Henry C. Sowards; to the Committee on Invalid Pensions.

By Mr. LEWIS of Pennsylvania: A bill (H. R. 20169) granting a pension to Edward J. Hart; to the Committee on Invalid Pensions.

By Mr. MAPES: A bill (H. R. 20170) granting a pension to Maria A. Taylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20171) granting a pension to Susanah Wells; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20172) granting an increase of pension to Thomas J. Owen; to the Committee on Invalid Pensions.

By Mr. MORGAN of Oklahoma: A bill (H. R. 20173) granting an increase of pension to William T. Bogert; to the Committee on Pensions.

Also, a bill (H. R. 20174) granting an increase of pension to John W. Johnson; to the Committee on Invalid Pensions.

By Mr. POWERS: A bill (H. R. 20175) granting a pension to William N. Frost; to the Committee on Pensions.

By Mr. RAUCH: A bill (H. R. 20176) granting a pension to Teresa O'Brien; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20177) granting an increase of pension to Cyrus S. White; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20178) granting an increase of pension to Charles W. Hyde; to the Committee on Invalid Pensions.

By Mr. REED: A bill (H. R. 20179) granting an increase of pension to David Bickford; to the Committee on Invalid Pensions.

By Mr. RUBEN: A bill (H. R. 20180) granting an increase of pension to Clarinda Shields; to the Committee on Invalid Pensions.

By Mr. RUCKER: A bill (H. R. 20181) granting a pension to John T. Burriss; to the Committee on Invalid Pensions.

By Mr. SCULLY: A bill (H. R. 20182) granting an increase of pension to Fannie J. B. Kelly; to the Committee on Invalid Pensions.

By Mr. SMITH of New York: A bill (H. R. 20183) granting an increase of pension to William H. Wright; to the Committee on Invalid Pensions.

By Mr. STEVENS of New Hampshire: A bill (H. R. 20184) granting a pension to Alpheus C. Richardson; to the Committee on Invalid Pensions.

By Mr. TAVENNER: A bill (H. R. 20185) granting a pension to Isadora M. Roney; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of sundry citizens and organizations in the State of Massachusetts, favoring national prohibition; to the Committee on Rules.

Also, petition of citizens of the State of Connecticut, favoring national prohibition; to the Committee on Rules.

Also (by request), memorial of Rising Sun Lodge, No. 81, International Order Good Templars, of Lake Hall, Fla.; Order of Good Templars, of La Grange; 8 citizens and Order Good Templars, of Chicago Heights, Ill.; Lodge No. 18, Order of Good Templars, of St. Louis, Mo., and New York District Epworth League, favoring national prohibition; to the Committee on Rules.

By Mr. AINEY: Petition of 2,000 people in mass meeting at Towanda; 90 citizens of Troy Township, Bradford County; 31 citizens of West Burlington, Bradford County; Ministerial Association of Southern Wayne County; churches in Thompson, Starrucca, and Ararat; 235 members of Methodist Episcopal Church, Tunkhannock; 150 people of church and Sunday school, Hamlin; Baptist Church, Gillett; Baptist Church, Fassett; Methodist Episcopal Church, White Mills; Methodist Episcopal Church, Campdown; Methodist Episcopal Church, Little Meadows; Central Methodist Episcopal Church, Honesdale; Methodist Episcopal Church, West Nicholson; Baptist Church, Mehoopany; Woman's Christian Temperance Union, Clifford; Woman's Christian Temperance Union, Tunkhannock; Woman's Christian Temperance Union, Great Bend, all in the State of Pennsylvania; Patriotic Order of Sons of America of Pennsylvania in convention assembled, and Ministerial Association, Waverly, N. Y., Sayre, and Athens, all favoring national constitutional prohibition; to the Committee on Rules.

By Mr. BAILEY: Petition of Calvary Methodist Episcopal Church, of Johnstown, and Presbyterian societies of Kensington, all in the State of Pennsylvania, favoring national prohibition; to the Committee on Rules.

Also, petition of business men of Barnesboro, Pa., favoring passage of House bill 5308, taxing mail-order houses; to the Committee on Ways and Means.

By Mr. BARTHOLOMEW: Papers to accompany House bill 811, for relief of Eulalie Shores; to the Committee on War Claims.

Also, papers to accompany House bill 11527, for relief of Sarah J. Brady; to the Committee on War Claims.

Also, petition of M. Goettler Hat Co., Otto F. Stifel, H. Hayer, William Lothman, of St. Louis, Mo., favoring House bill 5139, the civil-service retirement bill; to the Committee on Reform in the Civil Service.

By Mr. BELL of California: Memorial of Chamber of Commerce of Los Angeles, Cal., favoring House joint resolution to create national marketing commission; to the Committee on Rules.

By Mr. DALE: Petition of Chamber of German-American Commerce, New York, and citizens of Philadelphia, Pa., relative to embargo upon all contrabands of war, etc.; to the Committee on Foreign Affairs.

Also, petition of Philip Hess, of New York, relative to proper armament for our national protection; to the Committee on Rules.

Also, petition of Broadway Board of Trade, Brooklyn, N. Y., favoring passage of the Hamill bill (H. R. 5139); to the Committee on Reform in the Civil Service.

By Mr. DANFORTH: Petition of citizens' Temperance League of Orleans County, N. Y., favoring national prohibition; to the Committee on Rules.

Also, petitions of Bartholomay Brewing Co., of Rochester, N. Y.; Manufacturers and Dealers' League of New York, N. Y.; and International Union of United Brewery Workmen of Cincinnati, Ohio, against national prohibition; to the Committee on Rules.

By Mr. DRUKKER: Petition of citizens and churches of New Jersey, favoring national prohibition; to the Committee on Rules.

By Mr. EAGAN: Petitions of the Jersey City (N. J.) German Liquor Association, protesting against national prohibition; to the Committee on Rules.

Also, petition of the German Baptist Church and Sunday School and Sunday School of the First Baptist Church of Union Hill, N. J., favoring national prohibition; to the Committee on Rules.

Also, memorial of Philadelphia Branch of the National German-American Alliance, relative to embargo upon all contraband of war, etc.; to the Committee on Foreign Affairs.

By Mr. Esch: Papers in support of H. R. 19822, granting a pension to George W. Stanford; to the Committee on Invalid Pensions.

By Mr. FOSTER: Petition of citizens and church organizations of the State of Illinois, favoring national prohibition; to the Committee on Rules.

By Mr. GALLIVAN: Petition of citizens of the State of Massachusetts favoring national prohibition; to the Committee on Rules.

By Mr. GARNER: Petitions of Philadelphia (Pa.) Branch of the National German-American Alliance and the Texas Staats Verland German-American National Alliance, favoring passage of a law by Congress forbidding the export of arms and ammunition from the United States to any warring nation; to the Committee on Military Affairs.

By Mr. GERRY: Petitions of East Greenwich Woman's Christian Temperance Union; Rhode Island State Grange; Oaklawn Baptist Church; Clarence W. Williams, of Cranston, R. I.; Scituate Woman's Christian Temperance Union; Advent Sunday School, of North Scituate, R. I.; Pentecostal Church and Sunday School of North Scituate, R. I.; Thames Street Methodist Episcopal Church, of Newport, R. I.; Mrs. Robert H. Wilson, of Olneyville, R. I.; and First Baptist Church of East Greenwich, R. I., urging the passage of legislation providing for national prohibition; to the Committee on Rules.

By Mr. GILLET: Petitions of citizens of the second district of Massachusetts, favoring an amendment to the national Constitution for the establishment of prohibition; to the Committee on Rules.

By Mr. GILMORE: Petition of the Federal Council of the Churches of Christ in America, favoring an adequate oriental policy; to the Committee on Foreign Affairs.

Also, petition of citizens of Brockton, Whitman, Readville, Abington, Braintree, Weymouth, Stoughton, Quincy, Wollaston, Hyde Park, Rockland, East Bridgewater, and Foxboro, Mass., favoring national prohibition; to the Committee on Rules.

By Mr. GRAHAM of Pennsylvania: Memorial of Reformed Ministerial Association, favoring national prohibition; to the Committee on Rules.

Also, memorial of the Federal Council of the Churches of Christ in America, relative to the taking up of the whole immigration question; to the Committee on Immigration and Naturalization.

By Mr. GUERNSEY: Petitions from sundry citizens of Garland, Passadumkeag, Gullford, Mattawamkeag, and Dexter, Me., urging passage of House joint resolution 277 for national prohibition; to the Committee on Rules.

By Mr. HAMILTON of New York: Affidavits to accompany H. R. 20066, granting a pension to George Peck; to the Committee on Invalid Pensions.

Also, affidavits to accompany H. R. 16494, granting an increase of pension to Johnson M. May; to the Committee on Invalid Pensions.

By Mr. HINDS: Petitions of citizens and church organizations of the State of Maine, favoring national prohibition; to the Committee on Rules.

Also petition of laundrymen of Portland, Me., for more effective enforcement of existing laws for the exclusion of laboring Chinese; to the Committee on Immigration and Naturalization.

By Mr. KEISTER: Petition of Catholic Knights of America, protesting against treatment of the Catholics in Mexico; to the Committee on Foreign Affairs.

Also, petition of 452 citizens of Beatty, Pa., against the use of the United States mails by certain anti-Catholic publications; to the Committee on the Post Office and Post Roads.

Also, petition of 100 citizens of Latrobe, Pa., against use of United States mails by anti-Catholic publications; to the Committee on the Post Office and Post Roads.

By Mr. KENNEDY of Rhode Island: Petitions from the Sunday School of Congregational Church, Central Falls; Sunday School of Baptist Church, Valley Falls; Rev. J. H. Trenberth, Valley Falls; Clarence E. Williams, Cranston; Rhode Island State Grange; Frances E. Willard Woman's Christian Temperance Union, Woonsocket; and official board of Thames Street Methodist Episcopal Church, Newport, all in the State of Rhode Island, favoring national prohibition; to the Committee on Rules.

By Mr. LANGLEY: Petition of C. S. Bowman and others, of Hazard, Ky., and Rev. J. W. Crow and others, of Jenkins, Ky., favoring national prohibition; to the Committee on Rules.

By Mr. McCLELLAN: Petition of Joseph W. Casey and 61 residents of Liberty, N. Y., and Carolina R. Davies and 26 other residents of Sloansville, N. Y., for the passage of Hobson-Sheppard resolution; to the Committee on Rules.

Also, indorsement of Sheppard-Hobson resolution by First Summit Baptist Church, Charlotteville; First Methodist Episcopal Church, Middleburg; Methodist Episcopal Church, Livingston Manor; Reformed Church, Tillson; Friends' Church, Tillson; West Fulton Baptist Church, West Fulton; St. James Methodist Episcopal Church, Kingston; four Christian Endeavor Societies, Howes Cove, representing 150 people; Methodist Episcopal Church, Grahamville; and Union Churches, Hensonville, all in the State of New York; to the Committee on Rules.

Also, petitions of Elias P. Osterhoudt and 26 residents of Accord; Charlotteville Baptist Church, Charlotteville; New Paltz Dutch Reformed Church; W. L. Comstock, Hensonville; Le Roy Rowley, Stephen Westfall, John S. Sweet, W. Irving Grosvenor, and Silas Nostrant, Sloansville, all in the State of New York, favoring passage of Sheppard-Hobson resolution; to the Committee on Rules.

By Mr. MAHAN: Petitions of 60 citizens of Andover, 70 citizens of Hebron, and 41 citizens of Lebanon, all in the State of Connecticut, favoring national prohibition; to the Committee on Rules.

By Mr. MAPES: Petitions of sundry orders of Good Templar lodges and citizens of the State of Michigan, favoring national prohibition; to the Committee on Rules.

By Mr. MITCHELL: Petition of citizens of Needham, Waltham, Newton, Auburndale, Allston, Brookline, Medfield, Southville, Framingham, Marlboro, Boston, Natick, Wayland, Walpole, Dover, Plainville, Millis, Bellingham, Medway, and West Medway, all in the State of Massachusetts, favoring national prohibition; to the Committee on Rules.

By Mr. J. I. NOLAN: Protest of Jones, Mundy & Co., San Francisco, Cal., against the passage of the Hobson nation-wide prohibition resolution; to the Committee on Rules.

By Mr. O'SHAUNESSY: Petition of Branch No. 330, Catholic Knights of America, relative to the publication called the Menace circulating through the United States mails; to the Committee on the Post Office and Post Roads.

By Mr. PAIGE of Massachusetts: Petitions of citizens of the State of Massachusetts, favoring national prohibition; to the Committee on Rules.

By Mr. PETERS: Petitions from sundry citizens of St. Albans, Burnham, Fayette, Lubec, and Orland, all in the State of Maine, urging national constitutional prohibition; to the Committee on Rules.

By Mr. POWERS: Petitions of Marrowbone, Cumberland County, Ky.; Baptist Church, Broadhead, Rockcastle County, Ky.; Freedom Baptist Church, Spiro, Rockcastle County, Ky.; sundry citizens of Rockcastle County, Wayne County, and Marrowbone, Cumberland County, Ky.; Sabbath School, Marrowbone, Cumberland County, Ky.; Baptist Church, Marrowbone, Cumberland County, Ky.; and patrons of Spann post office, Wayne County, Ky., favoring national constitutional prohibition; to the Committee on Rules.

Also, papers to accompany a bill granting a pension to William N. Frost; to the Committee on Pensions.

Also, petition of sundry citizens of Kentucky, favoring national prohibition; to the Committee on Rules.

By Mr. REILLY of Connecticut: Petition of citizens of Connecticut, favoring national prohibition; to the Committee on Rules.

By Mr. SCULLY: Petitions in favor of the Hobson resolution for nation-wide prohibition from Methodist Episcopal Church, Greenville; Methodist Episcopal Church, Herbertsville; First Baptist Church, Marlboro; First Presbyterian Church, Cranbury; Second Methodist Episcopal Church, Asbury Park; First Baptist Church, Red Bank; First Baptist Church, South Amboy; Methodist Episcopal Church, Belford; First Baptist Church, Allentown; the Reformed Church, Metuchen; First Presbyterian Church, Long Branch; Methodist Episcopal Church, Toms River; West Grove Methodist Episcopal Church, Asbury Park; the Dutch Arms Club, First Reformed Church, Red Bank; Epworth League, Manahawkin; First Methodist Church, Tuckerton; Presbyterian Church, Dayton; the Methodist Church, Allentown; Presbyterian Church, Barnegat; Presbyterian Church, Atlantic Highlands; First Baptist Church, Freehold; Methodist Episcopal Church, West Creek; Methodist Episcopal Church, Woodbridge; the S. B. D. Church, New Market; the First Baptist Church, New Market; First Baptist Church, Perth Amboy; Baptist Church, Manahawkin; First Methodist Episcopal Church, Red Bank; St. Paul's Church, Ocean Grove; St. John's Methodist Episcopal Church, Keyport; Woman's Christian Temperance Union, Manahawkin; Methodist Episcopal Church, Milltown; Methodist Episcopal Church, Lakewood; Methodist Episcopal Church, Highlands; Methodist Episcopal Sunday School, Highlands; Herbert Gettins, manufacturer, New Brunswick; Epworth League, Cedar Run; Methodist Sunday School, Cedar Run; the New Monmouth Baptist Church, Keyport; Methodist Sunday School, Manahawkin; Simpson Methodist Episcopal Church, Perth Amboy; First Methodist Episcopal Church, Long Branch; Manahawkin and Cedar Run Methodist Episcopal Church, Manahawkin; the Junior Epworth League, Manahawkin; and W. A. French & Co., Red Bank, all in the State of New Jersey; to the Committee on Rules.

Also, telegram signed by the following citizens of Red Bank, N. J., against the Hobson resolution: W. A. French & Co., A. M. Minton, Charles E. Johnson, Oliver Sutphen, H. A. Hawkins, W. J. Poulson, and H. Holsepp; to the Committee on Rules.

By Mr. STEPHENS of California: Petition of Los Angeles (Cal.) Chamber of Commerce, favoring House joint resolution 344, for a national marketing commission; to the Committee on Agriculture.

Also, petition of citizens of Los Angeles and San Francisco, Cal., against national prohibition; to the Committee on Rules.

Also, petition of citizens and churches of Sawtelle, Los Angeles, and Whittier, Cal., favoring national prohibition; to the Committee on Rules.

By Mr. TAVENNER: Petition of the Greater Moline Committee, of Moline, Ill., favoring the Gardner resolution to investigate the unpreparedness of the United States for war; to the Committee on Military Affairs.

By Mr. THACHER: Petitions of sundry citizens of Orleans, Hanson, Cotuit, Tisbury, Fairhaven, Bourne, Falmouth, Cohasset, East Wareham, Middleboro, Nantucket, Gay Head, Bridgewater, Hingham, and New Bedford, all in the State of Massachusetts, for passage of House joint resolution 168, for national prohibition; to the Committee on Rules.

By Mr. UNDERHILL: Petition of National Electrical Contractors' Association, favoring change in postal rates; to the Committee on the Post Office and Post Roads.

Also, petition of Western Association of Short Line Railroads, protesting against the passage of House bill 17042, relative to change in basis of mail transportation; to the Committee on the Post Office and Post Roads.

By Mr. WALLIN: Petition of various churches and citizens of the thirtieth district of New York, favoring national prohibition; to the Committee on Rules.

Also, petition of Ministerial Association of Amsterdam, N. Y., favoring House bill 5139, the civil-service retirement bill; to the Committee on Reform in the Civil Service.

By Mr. WILLIS: Memorial of Woman's Christian Temperance Union of Crawford County, Ohio, favoring national prohibition; to the Committee on Rules.

Also, petition of Ohio Millers' State Association, favoring passage of House bill 4322, favoring 1-cent letter postage; to the Committee on the Post Office and Post Roads.

By Mr. WINSLOW: Petition of citizens of the State of Massachusetts, favoring national prohibition; to the Committee on Rules.